

United States Court of Appeals
for the
District of Columbia Circuit



**TRANSCRIPT OF
RECORD**

ADDITION TO RECORD PER STIPULATION OF COUNSEL.

COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

JANUARY TERM, 1902

No. 1135.

112

No. 7, SPECIAL CALENDAR.

LISTON D. BASS, APPELLANT,

vs.

THE UNITED STATES.

FILED JANUARY 29, 1902.

In the Court of Appeals of the District of Columbia, January Term,
1902.

No. 7, Special Calendar.

LISTON D. BASS, Appellant,
vs.
UNITED STATES, Appellee. } No. 1135.

Stipulation.

It is hereby mutually agreed by counsel for the United States and the appellant that the following words, which appear upon page 133 of the record in the above-entitled cause, are erroneous, and that the same shall be stricken out—that is to say :

1. "And stated (meaning the court) that the count in the indictment containing the allegations connected with this witness had been stricken out."

2. "To which the defendant objected on the ground that inasmuch as the count in the indictment which refers to this witness had been

nolle prossed by the Government, there was no allegation in the indictment to support the evidence thus offered or that would permit its introduction as evidence."

It is further stipulated and agreed by said counsel that said page 133 of said record shall be corrected and amended to read as follows:

"Counsel for the Government here offered letters of Feb. 20th and March 10th, 1899, in evidence, to which the defendant objected on the ground that in the count in the indictment which refers to this witness the attorney for the U. S. *does not claim a conviction*; that there was no allegation in the indictment to support the evidence thus offered or that would permit its introduction as evidence, but the court overruled said objection, to which an exception was noted," &c.

ASHLEY M. GOULD,
*Attorney for the United States in and
 for the District of Columbia.*

DOUGLASS & DOUGLASS,
Attorneys for Appellant.

In the Supreme Court of the District of Columbia, Holding a Criminal Term.

UNITED STATES }
 v. } Criminal. Nos. 22871, 22872.
 LISTON D. BASS. }

It is hereby mutually agreed and stipulated by and between counsel for the Government and for the defendant in the above-entitled cause that the letter bearing date September 22d, 1898, from the defendant to Miss Jennie S. Betts, Houlton, Maine, which is set forth in the indictment numbered 22872 against said defendant, is a true copy of said original letter; and also it is further stipulated that the copy of letter from the defendant bearing date Washington, D. C., Dec. 26, 1899, and addressed to Stephen Boltz, Annville, Penna., which appears in the transcript of record in the testimony of the said Boltz, is a true copy of the original letter.

The object of this stipulation is to give the same force and effect to said letters as the originals, which were admitted in evidence in the court below, themselves have, for the reason that said original letters have been mislaid or lost since the trial of said cause.

It is further agreed and stipulated by and between the aforesaid counsel that said letters were sent through the mail by the defendant to the parties to whom the same were addressed, and that if the said letters are not found the production of the originals will not be required at any future trial of this case, should such arise.

DOUGLASS & DOUGLASS,
 LECKIE & FULTON,
Counsel for Appellant.

ASHLEY M. GOULD,
*Attorney for the United States in and
 for the District of Columbia.*

In the Court of Appeals of the District of Columbia, January Term,
1902.

No. 7, Special Calendar.

LISTON D. BASS, Appellant,	}	No. 1135.
vs. THE UNITED STATES.		

Appeal from the supreme court of the District of Columbia.

The following material part of the testimony of Harry P. Briggs, a witness called on behalf of the Government, was inadvertently omitted from the record: "Thereupon counsel for the Government showed the witness Briggs the letter dated Washington, D. C., September 30, A. D. 1899, which was identified by the witness as the original letter set out in the second count of indictment number 22871. Witness testified that said letter was received by him through the mails. Said letter was then formally offered in evidence by the Government without objection on behalf of the defendant, and counsel for the defendant admitted in open court that said letter so set out in said second count of said indictment was placed in the mail by the defendant. Said letter is set out in full in the record and marked Briggs 1" (Record, p. 116).

The following material part of the testimony of Robert C. Stratton, a witness called on behalf of the Government, was inadvertently omitted from the record: "Thereupon counsel for the Government showed the witness Stratton the letter dated Washington, D. C., September 30, 1899, which the witness identified as the original letter set out in the third count of indictment number 22871. The witness testified that he received said letter through the mails. Said letter was then offered in evidence by the Government as the original letter so set out in said count, without objection on behalf of defendant. Counsel for the defendant admitted in open court that said letter was placed in the mails by the defendant.

Said letter is set out in full in the record (Record, pp. 100, 101)."

The following substantial parts of the testimony of Jennie S. Betts, a witness called on behalf of the Government, was inadvertently omitted from the record: "Thereupon counsel for the Government showed the witness Betts the letter dated Washington, D. C., September 22d, 1898, which she identified as the original letter set out in indictment number 22872. Witness testified that she received said letter through the mails. Said letter was then offered in evidence on behalf of the Government, without objection on behalf of defendant. Counsel for the defendant admitted in open court that said letter so set out in said indictment was placed in the mails by the defendant."

It was admitted in evidence that said letter was enclosed in an envelope, stamped and addressed as mentioned in the said indictment—that is to say:

"Miss JENNIE S. BETTS,"

"*Houlton,*"

"Box 557."

"*Maine.*"

Postmarked, "Washington, D. C., Sta. B, Sep. 22, 7.30 p. —., 1898."

Which said letter was of the tenor following—that is to say :

"Office of Rev. L. D. Bass, D. D., business manager.

Union Teachers' Agencies of America, Washington, D. C.; Pittsburgh, Pa.; Toronto, Can.; New Orleans, La.; New York, N. Y.; San Francisco, Cal.; Chicago, Ill.; St. Louis, Mo.; Denver, Colo.

WASHINGTON, D. C., Sept. 22, 1898.

Miss J. S. Betts, Houlton, Me.

DEAR MISS BETTS: Your esteemed favor received. As most of our registered teachers are now located, and we have few candidates suitable to recommend, hence we are in a position to guarantee a recommendation to three or more positions, or any one who registers with the Union Teachers' Agencies of America, failing which, we agree to refund the registration fee of \$3.00, as sometimes we cannot conscientiously recommend. We are enabled to do this—and it is something no other agency in the United States does—because of the large number of vacancies caused by teachers enlisting for the Spanish-American war—places which cannot be held open, for the disbanding of the army, as it will be months before all the volunteer soldiers are discharged, and many will not return to teaching, even after leaving the service. Besides, we have a large number of vacant positions from other causes.

The registration fee is good for two years, or until you are located, so you see you are taking no great chance in registering with us. Our work in the past is sufficient endorsement of what we can, and do, accomplish in the way of securing positions for teachers. We handled over 8,000 positions last year and have 2,500 vacancies to be filled within the next six weeks. Our service is not local, but extends all over the United States and Canada, and is general in its character, covering every grade and department of school and college work. It is needless to add that the sooner you register, the sooner we can place you, as the majority of the vacancies must be filled within the next six weeks.

In order to be within easy reach of the educational centres of the country, and to keep in direct communication with the Federal commissioner of education, we have located our central office at the capital of the nation, at which point we will be pleased to receive your application by return mail.

We enclose our registration blank, which is self-explanatory, and some printed matter, which will serve in the absence of our manual testimonials, and give you an idea of our standing and responsi-

bility. Assuring you we can meet your expectations, and awaiting your further favors, we are,

Very truly,

L. D. BASS."

It is further stipulated that Record, on page 40 of testimony of Little, be amended in the following particulars by striking out sentence: "At this point it appeared in answer to certain questions asked witness by defendant's counsel," and inserting:

"At this juncture, under leave of court, counsel for the defendant asked witness sundry preliminary questions to ascertain time, place, and circumstances of the conversation referred to, and elicited from the witness the following:"

It is further stipulated that after the word "witness," on the first line of the last paragraph of page 40 of the Record, the following shall be inserted: "on direct examination."

It is further stipulated that after the words "recommendations on it," at the end of the third paragraph on page 122, the following shall be inserted:

"At this point the further cross-examination of witness Little was suspended." See Record, p. 161.

It is hereby agreed and stipulated by and between counsel for the Government and counsel for the appellant in the hereinbefore-entitled cause that so much of the testimony of witnesses Harry P. Briggs, Robert C. Stratton, and Jennie S. Betts, called on behalf of the Government, as hereinbefore set forth, represents the correct state of the testimony of said witnesses on the trial in the court below, and that the same may be considered and read in the hearing on appeal as if the same had been set forth and included in the bill of exceptions in the manner and form as herein stated. It is further stipulated and agreed that admitted errors of the record may be corrected as indicated by page 4 of this stipulation.

January 28, 1902.

ASHLEY M. GOULD,
*Attorney for the United States in and for
the District of Columbia.*

DOUGLASS & DOUGLASS,
LECKIE & FULTON,
Attorneys for Defendant.

[Endorsed:] No. 1135. Liston D. Bass, appellant, vs. The United States. Addition to record, per stipulation of counsel. Court of Appeals, District of Columbia. Filed Jan. 29, 1902. Robert Willett, clerk.

TRANSCRIPT OF RECORD.

Court of Appeals, District of Columbia

OCTOBER TERM, 1901.

No 1135.

No. 19, SPECIAL CALENDAR.

LISTON D. BASS, APPELLANT,

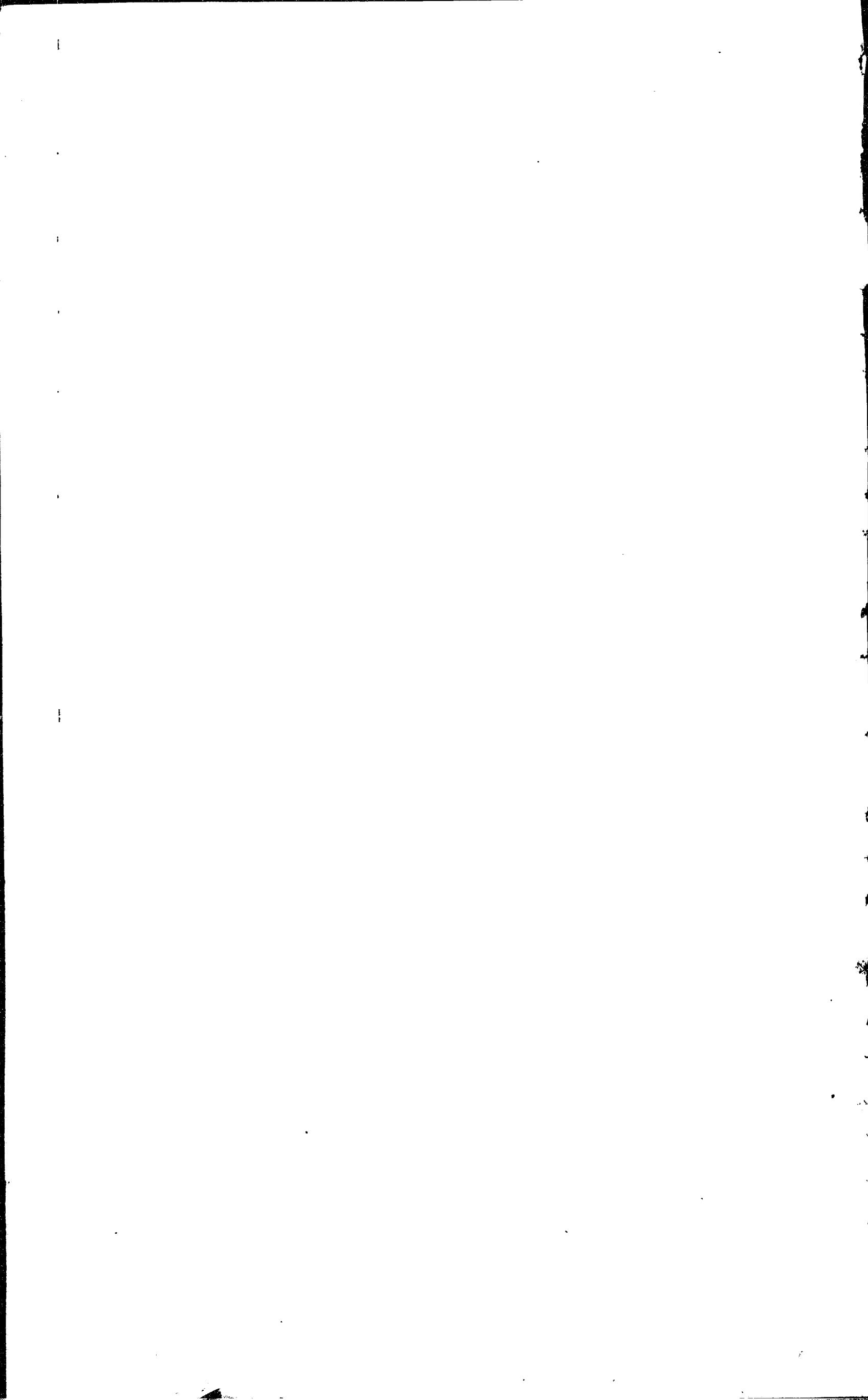
vs.

THE UNITED STATES.

APPEAL FROM THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

FILED OCTOBER 29, 1901.

February 20. 1902
Schoenfeld, Atty.



COURT OF APPEALS OF THE DISTRICT OF COLUMBIA.

OCTOBER TERM, 1901.

No. 1135.

No. 19, SPECIAL CALENDAR.

LISTON D. BASS, APPELLANT,

vs.

THE UNITED STATES.

APPEAL FROM THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

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In the Court of Appeals of the District of Columbia.

LISTON D. BASS, Appellant,
vs.
THE UNITED STATES. } No. 1135.

a Supreme Court of the District of Columbia.

UNITED STATES
vs.
LISTON D. BASS. } No. 22871. Criminal.
UNITED STATES
vs.
LISTON D. BASS. } No. 22872. Criminal. } Consolidated.

UNITED STATES OF AMERICA,
District of Columbia, } ss:

Be it remembered that in the supreme court of the District of Columbia, at the city of Washington, in said District, at the times hereinafter mentioned, the following papers were filed and proceedings had in the above-entitled causes, to wit:

1 *Indictment.*

Filed in Open Court Mar. 22, 1901.

In the Supreme Court of the District of Columbia, Holding a Criminal Term, January Term, A. D. 1901.

DISTRICT OF COLUMBIA, ss:

The grand jurors of the United States of America in and for the District of Columbia aforesaid upon their oath do present:

That one Liston D. Bass, late of the District aforesaid, who has also heretofore variously styled himself and been otherwise known as "L. D. Bass," the "Reverend L. D. Bass, D. D., and "Professor Bass," did, on the eighth day of November, in the year of our Lord one thousand eight hundred and ninety-eight, and at the District aforesaid, devise a scheme and artifice to obtain and get possession, through divers deceitful arts and stratagems and false pretences and representations, of the moneys of persons residing elsewhere in the said United States, who were desirous of qualifying themselves for the examinations conducted by the Civil Service Commissioners of

the said United States, and of obtaining employment in the civil service of the United States through the passing of such examinations, and whom he, the said Bass, might be able to dupe and impose upon and induce to pay to him such moneys by means of such deceitful arts, stratagems, and false pretences and representations, and to convert such moneys to the use of him, the said Bass, when so obtained, without rendering therefor anything of substantial value to them, the persons aforesaid, and to defraud thereof the persons aforesaid, and that the said scheme and artifice to defraud was to be effected, and it was then and there, to wit, on the day and year aforesaid and at the District aforesaid, intended by him, the said Bass, that it should be effected, by opening correspondence and communication with the persons aforesaid by means of the post-office establishment of the said United States, and by inciting the persons aforesaid to open correspondence and communication with him, the said Bass, through the said post-office establishment, and that such misuse of the mails was a part of such scheme and artifice to defraud.

2 And that the said scheme and artifice to defraud so devised by him, the said Bass, was in substance and effect as follows and was of the kind and nature following—that is to say, that he, the said Bass, by means of advertisements to be published in newspapers throughout the said United States, and by means of letters and printed circulars, cards, and slips to be issued in the name of the Bureau of Civil Service Instruction, and to be sent to and distributed among such, the persons aforesaid, should deceitfully make to the persons aforesaid false pretenses and representations as follows—that is to say:

That an educational institution called the Bureau of Civil Service Instruction was, on the day and year aforesaid, and for a considerable period of time prior thereto had been, in existence at the city of Washington, in said District, during which time it had conducted the business of instructing by mail those who wished to qualify themselves for passing examinations conducted by said Civil Service Commissioners and thereby obtain employment in the civil service of the said United States; and that such Bureau of Civil Service Instruction was so in existence and so conducting said business at the time and times thereafter when he, the said Bass, in and for the execution of the said scheme and artifice to defraud and in attempting to execute the same should deposit letters in the post-office of the said United States at the said city of Washington, or in any other post-office of the said United States and intended to be sent and delivered by mail to any one or more of the persons aforesaid; and that the system of instruction followed by the said educational institution had been operated long and successfully, and that the merits of said system had been demonstrated, and that said system was no longer an experiment; and that the
3 said educational institution called the Bureau of Civil Service Instruction kept its patrons thoroughly posted and instructed about what to do and when to do it under the rules of the said Civil

Service Commissioners governing such examinations, and gave to the patrons of said educational institution a complete review of the subjects embraced in such examinations conducted by said Civil Service Commissioners; that the prospects for appointment in the civil service of the said United States were exceptionally good for those passing such examinations, and that the said educational institution called the Bureau of Civil Service Instruction was well equipped in every respect to aid and had extraordinary facilities and opportunities not possessed by other educational institutions for aiding its patrons to pass such examinations; that the said educational institution called the Bureau of Civil Service Instruction was composed of and had a corps of professors, including him, the said Bass, in charge of its different departments of study, and that such professors were scholars and scientists of high standing, rank, and grade as men of learning and educators, and that each of them had made a special study of the branch of instruction under his charge, and that they were well qualified to post the patrons of said educational institution in the special lines of knowledge which would be covered by the examinations conducted by the said Civil Service Commissioners, and so and in such manner that it would be almost a moral impossibility for such patrons to fail to pass such examinations, and that the course of instruction given by the said educational institution to its patrons invariably led to their appointment to positions in the said civil service of the said United States, and that the passing of such examinations was not so much a question of general scholarship as it was of being prepared upon the special matters to arise in such examinations.

And that by the aid of said educational institution thousands of persons who had been its patrons had been able to take said examinations successfully and to secure appointments in the said civil service of the said United States who could not have done so otherwise; that eight thousand persons were appointed annually to positions in the said civil service, and that the results of the war between the said United States and Spain would require the appointment of seven thousand new and additional employees in the said civil service; that the Reverend L. D. Bass, D. D., (intending thus to refer to himself, the said Liston D. Bass), was the president of the said educational institution called the Bureau of Civil Service Instruction, and that he, the said Bass, was a minister of the Gospel, and a man eminent for his virtues, talents, and abilities, and that he, the said Bass, had been for many years engaged in educational work, and was known to the leading educators of the said United States as one especially qualified for such position as president, and that he, the said Bass, possessed "a strong mind, a wise head, integrity of purpose, and catholic sympathies," and that he, the said Bass, was "a statesman by nature," and that he, the said Bass, was endowed "with a fine presence, an eye of beauty, and a magnificent voice, and his speeches as well as his pulpit services attracted large audiences," and that he, the said Bass, was held in high esteem by those who knew him "for his earnestness, spirit of

humanity, and noble simplicity of character, as well as for his superior abilities," and that "his sermons, lectures, and essays, which have been published, show the superior literary advantages enjoyed by him as well as the advantages of travel."

And that the names of the persons first aforesaid so desirous of qualifying themselves for such examinations and of obtaining employment in the said civil service, as aforesaid, would be enrolled in a list of students and patrons of the said educational institution called the Bureau of Civil Service Instruction, and that the services of the

5 said educational institution and of its said professors, including him, the said Bass, could be enlisted and procured in behalf

of the persons first aforesaid to aid them in the accomplishment of their said desire to pass such examinations and to obtain such employment, and that the system of instruction aforesaid of the said educational institution would be extended to them, the persons first aforesaid, upon the payment by them, the persons first aforesaid, respectively, to him, said Bass, as such president, of an enrolling fee of sixteen dollars in cash, or of seventeen dollars, of which ten dollars might be paid in cash and seven dollars within thirty days thereafter, or of eighteen dollars, of which eight dollars might be paid in cash and the residue in two instalments of five dollars each, payable respectively in thirty and sixty days thereafter, and by the execution of an agreement by those to be enrolled for the payment, in case of their appointment to a position in the said civil service, of the sum of three per cent. of the annual salary thereof for the first year, less the amount of such enrolling fee.

And the grand jurors aforesaid upon their oath aforesaid do further present:

That the said scheme and artifice to defraud was further in substance and effect as follows and of the kind and nature following—that is to say, that he, the said Bass, should induce the persons first aforesaid to believe that the false pretences and representations aforesaid were true, and especially to induce them to believe that an educational institution called the Bureau of Civil Service Instruction, of which he, the said Bass, was president, and composed of a corps of competent professors, of whom he, the said Bass, was one, was in existence on the day and year aforesaid, and had been in existence for a long time prior thereto, at the said city of Washington, in the said District, and engaged in good faith and usefully and successfully in the conduct of said business, and that such Bureau of Civil Service Instruction was so in existence and so conduct-

6 ing said business at the time and times thereafter when he, the said Bass, in and for the execution of the said scheme

and artifice to defraud and in attempting to execute the same should deposit letters in the post-office of the said United States at the said city of Washington or in any other post-office of the said United States, and intended to be sent and delivered by mail to any one or more of the persons first aforesaid, and that such educational institution had extraordinary facilities and opportunities not pos-

sessed by other educational institutions for knowing the precise matters to be covered by the examinations to be conducted by said Civil Service Commissioners; and that through the instruction and aid of the said educational institution called the Bureau of Civil Service Instruction many thousands of persons who had patronized it and been instructed by it had been enabled to pass successfully the examinations conducted by the said Civil Service Commissioners, and had thereupon been appointed to and obtained positions in the civil service of the said United States, and that a course of instruction in the said Bureau of Civil Service Instruction taken by any person invariably led to the passing of such examinations by such person and invariably led to the appointment of such person to a position in the civil service of the said United States; and that through such Bureau of Civil Service Instruction and its instruction and aid to be secured by the persons first aforesaid, upon the terms aforesaid, they, the persons first aforesaid, would be enabled to qualify themselves for passing and would be enabled to successfully pass such examinations, and thereupon obtain appointments to positions in such civil service of the said United States, and especially to further induce the persons first aforesaid to rely upon the said false pretences and representations, and to act upon such their belief and to become patrons of the said Bureau of Civil Service Instruction, and to avail themselves of its instruction and aid in the accomplishment of their desires aforesaid, and to make the preliminary payment and payments of their moneys to him, the said Bass, according to
7 the terms aforesaid—

While and whereas in truth and in fact no educational institution called the Bureau of Civil Service Instruction, of which he, the said Bass, was president, and composed of such corps of competent professors, of whom he, the said Bass, was one, was in existence on the day and year aforesaid, at the said city of Washington, nor had such educational institution been in existence at said city for a long time, or at any time, prior thereto, and engaged in good faith and usefully and successfully in the conduct of said business, nor had such educational institution extraordinary facilities and opportunities, not possessed by other educational institutions, of knowing the precise matters to be covered in the examinations to be conducted by the said Civil Service Commissioners, nor had such educational institution been patronized by many thousands of persons, who had been instructed by it and who had been enabled through such instruction and the aid of such educational institution to pass successfully examinations conducted by said Civil Service Commissioners, and who had thereupon obtained appointments to positions in the said civil service of the said United States, nor had one such person passed successfully such examination and obtained thereupon such position, nor did nor could a course of instruction in such educational institution taken by any person invariably lead to the passing of such examinations by such person, nor invariably lead to the appointment of such person to a position in the said civil service, nor could the persons first aforesaid,

through such Bureau of Civil Service Instruction and its instruction and aid to be secured by them upon the terms aforesaid, be enabled to qualify themselves for passing and be enabled to successfully pass such examinations and thereupon obtain appointments to positions in the said civil service of the said United States, nor did he, the said Bass, on the day and year aforesaid and at the District aforesaid, intend to render the services thus promised by him as aforesaid; and whereas in truth and in fact, by the scheme
8 and artifice aforesaid, he, the said Bass, on the day and year aforesaid and at the District aforesaid, did intend to defraud of their moneys the persons aforesaid, or such of them as might be induced by the means aforesaid to pay their said moneys to him, said Bass; all and singular of which the premises and several premises aforesaid were well known to him, said Bass, on the day and year aforesaid and at the District aforesaid.

And whereas in truth and in fact all and singular of the averments made in the last paragraph hereof were equally and alike true on the twenty-seventh day of March, in the year of our Lord one thousand eight hundred and ninety-nine, hereinafter in this count mentioned, and on the thirtieth day of September, in the year of our Lord one thousand eight hundred and ninety-nine, hereinafter in the second count hereof mentioned, and on the thirtieth day of December, in the year of our Lord one thousand eight hundred and ninety-nine, hereinafter in the third count hereof mentioned, and were equally and alike well known to the said Bass on the said three last-mentioned days, when, as in the said counts respectively stated, he, the said Bass did, in and for the execution of the said scheme and artifice to defraud and in attempting to execute the same, deposit certain letters in the said post-office at the said city of Washington.

And the grand jurors aforesaid upon their oath aforesaid do further present that the said Liston D. Bass, having so devised the said scheme and artifice to defraud, did, on the twenty-seventh day of March, in the year of our Lord one thousand eight hundred and ninety-nine, and at the District aforesaid, in and for the executing of the same and attempting so to do, unlawfully and knowingly place and cause to be placed in the post-office at the said city of Washington, to be sent and delivered by mail to a certain Laura Ball at Fredericksburg, in the State of Virginia, a certain letter enclosed in a certain sealed envelope duly stamped for purposes of mailing, bearing an address and direction to her, the said Laura Ball, at said Fredericksburg, the exact tenor of which address
9 and direction the grand jurors aforesaid are unable to give because the said envelope bearing the same has been destroyed, and which said letter last aforesaid was of the tenor following—that is to say:

"Bureau of Civil Service Instruction, 123 Fifth street northeast.

WASHINGTON, D. C., March 27, 1899.

MY DEAR SIR: I have just looked over the letter of our secretary to you and I have this to say: As most of our registered candidates have been successful in securing positions, I therefore offer you a deduction of \$6.00 on the registration fee. This with our 15-day off makes fee \$10.00. I could not now promise that this offer would hold good after the next examinations, as we may then have all the clients we can serve. Very few persons *even members of Congress*, thoroughly understand the methods & rules of the commission, and the advice of well-informed public men is often disastrously misleading.

It would require a very large book to give all the details of the Government service, such as all the positions, salaries of each, the subjects of examinations, tables showing the number of appointments to the different positions from the different States, and the hundreds of offices throughout the country, the multiplicity of rules of the commission and the laws governing all classes of cases.

We have, therefore, decided not to burden you with a great quantity of printed matter, but as soon as we receive the enrollment fee, and the enclosed application blank properly filled and signed, we will mail you a list of the kind of examinations from which a selection is to be made. In having too much before a person we find that they often make selection of an examination which will lead to a branch of the service paying lower salaries than some other with an examination less difficult. In this matter alone our experience and knowledge of the Government service enables us to assist our patrons to that branch of the service which will, in a few years, mean a difference of thousands of dollars to them.

When you decide on the kind of examination we begin a complete course of instruction, which invariably leads to an appointment. We prepare you for one or as many examinations as are necessary in order to secure an appointment. It is to our interest to have you so well prepared that you will make a grade sufficiently high on the first examination that an appointment will be only a question of a short time. Do you want a position. If so you must take the examination, and no effort should spare you to prepare in the most thorough manner, for it may be the opportunity of a lifetime.

Yours very sincerely,

L. D. BASS, Pres."

against the form of the statute in such case made and provided and against the peace and Government of the said United States.

Second Count.

And the grand jurors aforesaid upon their oath aforesaid do further present that the said Liston D. Bass, having so devised
10 the said scheme and artifice to defraud in the first count hereof mentioned, did, on the thirtieth day of September, in

the year of our Lord one thousand eight hundred and ninety-nine, and at the District aforesaid, in and for the executing of the same and attempting so to do, unlawfully and knowingly place and cause to be placed in the post-office at the city of Washington, to be sent and delivered by mail to a certain Hendrix P. Briggs, who is also otherwise known as H. P. Briggs, at East Radford, in the State of Virginia, a certain other letter enclosed in a certain other sealed envelope, duly stamped for purposes of mailing, bearing an address and direction of the tenor following—that is to say :

“ Mr. H. P. BRIGGS,
E. Radford,
Va.”

and which letter last aforesaid was of the tenor following—that is to say :

“ Rev. L. D. Bass, D. D., president. M. W. Daniel, A. M., secretary.

Bureau of Civil Service Instruction, Station B.

Prepares by mail for all Government examinations.

WASHINGTON, D. C., Sept. 30, 1899.

DEAR MR. BRIGGS: Your esteemed favor received. Under the Civil Service Commission there are over 85,000 positions filled with persons who passed the civil-service examinations. The annual appointments average about 8,000. The results of the Spanish-American war will demand an increase of at least 7,000 new employees. This will make at least calculation, 15,000 places to be filled during the next eight or twelve months.

Those who prepare first and make a good average in their examination, will be sure of an appointment. We believe the chances of securing an appointment were never better than at this time, and these chances are increasing daily.

Our experience in the past leads us to feel that we can be of assistance to you if you desire a Government position. If you take the examination and pass with a good average, you ought not to be out of a position very long.

Realizing that within a short time there would be a call for a large number of employees in the various departments of the Government, the Board of Civil Service Instruction, at its last meeting decided to offer special inducements to those who register now, and reduce their fees for the regular courses of instruction from \$25.00 to \$16.00 as will be seen by an examination of the registration blank. This reduction is for a short time only.

The president, Rev. L. D. Bass, A. M., D. D., has the supervision of the work, and aided by a strong corps of instructors arranges the different courses of study. Dr. Bass has for many years been engaged in educational work, and is known to the leading educators of our country as one especially qualified for this peculiar position.

We have exhausted our manual, but in the absence of it I enclose a few testimonials which refer to the president, Dr. Barr. These I am sure will satisfy you as to the character and responsibility of the Bureau of Civil Service Instruction. I would advise you not to delay in registering, especially at this time.

Make remittance by registered letter, postal order, express money order or draft payable to Rev. L. D. Bass, Washington, D. C., or make *make* deposit with any bank of the city.

I beg to remain,

Your obedient servant,

M. W. DANIEL, Sec."

against the form of the statute in such case made and provided and against the peace and Government of the said United States.

Third Count.

And the grand jurors aforesaid upon their oath aforesaid do further present that the said Liston D. Bass, having so devised the said scheme and artifice to defraud in the first count hereof mentioned, did, on the thirtieth day of December, in the year of our Lord one thousand eight hundred and ninety-nine, and at the District aforesaid, in and for the executing of the same and attempting so to do, unlawfully and knowingly place and caused to be placed in the said post-office at the said city of Washington, to be sent and delivered by mail to a certain Richard C. Stratton at Philadelphia, in the State of Pennsylvania, a certain other and further letter enclosed in a certain other and further sealed envelope, duly stamped for purposes of mailing, bearing an address and direction to him, the said Richard C. Stratton, at said Philadelphia, the exact tenor of which address and direction the grand jurors aforesaid are unable to give because the last-mentioned envelope bearing the same has been destroyed; which letter last aforesaid was of the tenor following—that is to say :

"Rev. L. D. Bass, D. D., president. M. W. Daniel, A. M., secretary.

Bureau of Civil Service Instruction, Station F.

Prepares by mail for all Government examinations.

WASHINGTON, D. C., December 30th, 1899.

12 DEAR SIR: It is now some months since we addressed you personally, thinking possibly, our first letter and catalogue was mislaid. Since then in looking over our records, which is our usual custom when we desire to select those which impressed us most favorably as the ones most likely to secure a position under the civil-service rules, as the quota from their States was not filled, your name was selected.

We write today to find out, if possible, the reason why? Surely your original inquiry was inspired by a desire to secure a Government position and evidently not out of mere curiosity. Now, if you

wish a position under the Civil Service Commission you should by all means make an effort at once. There is a good reason for this: Between now and March over 4,000 positions, in the various departments of the Government, are to be filled through civil-service examinations.

The statement has been given out that 1,000 clerks will be appointed in the Post-office Department at salaries ranging from \$650 to \$1,800. This is in one department alone. There seems to be a dearth in some of the departments for suitable help. We do not know why so few tried for Government positions during the past year. There never has been a more favorable opportunity to secure a Government position than just at the present time. Mrs. Nannie H. Price, has been teaching at Frederick, Md., for less than \$250. She began with us November 4th and two weeks ago secured an appointment under the civil service. She began work yesterday in the Government Printing Office at a salary of \$950, which will probably be increased soon. Mr. B. F. Perry, Greenville, S. C., was on police service, this week he secured appointment in the secret service at a salary of \$2,000. I introduced him to a few influential politicians and we got him in. I could give you twenty such instances during the past month. Our best friends are in the Government employ.

We make you this special offer, good for twenty days. The cost of course on plan "C" is \$18. Send us \$8 now, and then pay us the remaining \$10 thirty days after you secure an appointment paying over \$900. We further agree: If you take our course and fail to get on the eligible list, we agree to return half of your registration fee, when you present certificate stating that you have failed to pass the examination. Could you ask us to do more? As evidence of good faith on our part we agree to deposit, or to let you deposit the fee in any bank of this city.

We know the civil service, and we are here where we can find out in which department vacancies are to occur; also to use our influence for you in every way possible. As the season is advancing and much may be lost by delay I would therefore advise you to register at once. Please let us hear from you without delay, in order that we may make an effort to secure others, if you do not desire to try for a position. We are anxious to get most of our students in good positions. We have a loftier mission than the mere making of money. No compensation will repay us unless our students are satisfied.

Yours truly,

L. D. BASS."

against the form of the statute in such case made and provided and against the peace and Government of the said United States.

THOMAS H. ANDERSON,
*Attorney of the United States, in and for
the District of Columbia.*

13 Endorsed: No. 22871. United States vs. Liston D. Bass.
Violation of section 5480, R. S. U. S. Witnesses: Court F. Wood, Frank E. Little. A true bill. Henry C. Johnson, foreman.

14

Indictment.

Filed in open court Mar. 22, 1901.

In the Supreme Court of the District of Columbia Holding a
Criminal Term, January Term, A. D. 1901.

DISTRICT OF COLUMBIA, ss:

The grand jurors of the United States of America in and for the District of Columbia aforesaid upon their oath do present:

That one Liston D. Bass, who has also variously styled and called himself heretofore "L. D. Bass," the "Reverend L. D. Bass, D. D." and "Professor Bass," did, on the first day of August, in the year of our Lord one thousand eight hundred and ninety-eight, and at the District aforesaid, devise a scheme and artifice to obtain and get possession, through divers deceitful arts, stratagems, and false pretences, of the moneys of persons residing elsewhere in the said United States who were desirous of obtaining employment as teachers in educational institutions, and whom he might be able to dupe and impose upon and induce to pay to him such moneys by means of such deceitful arts, stratagems, and false pretences, and to convert such moneys to the use of him, the said Bass, without rendering anything of value therefor, and to defraud thereof the persons aforesaid, and that the said scheme and artifice to defraud was to be effected, and it was then and there, to wit, on the day and year aforesaid and at the District aforesaid, intended by him, the said Bass, that it should be effected, by opening correspondence and communication with the persons aforesaid by means of the post-office establishment of the said United States and by inciting the persons aforesaid to open correspondence and communication with him, the said Bass, through the said post-office establishment, and

15 that such misuse of the mails was a part of such scheme and artifice to defraud.

And that the said scheme and artifice to defraud so devised by him, the said Bass, was in substance and effect as follows, and was of the kind and nature following—that is to say:

That he, the said Bass, by means of advertisements to be published in newspapers throughout the said United States and by means of letters and printed circulars, cards, and slips to be issued in the name of the Union Teachers' Agencies of America and to be sent to and distributed among such the persons aforesaid, and to be prepared by him, the said Bass, and to contain and to have inserted therein false pretences and representations, proposed and intended to be made by him, the said Bass, as hereinafter stated, of and concerning the existence, business, patronage, circumstances, conditions, and utilities of said Union Teachers' Agencies of America, and the securing by it of appointments as teachers in educational institutions for persons who had patronized it, and of and concerning him, the said Bass, and the experience of him, said Bass, as a teacher, and

of and concerning exceptional opportunities, facilities, and faculties of him, the said Bass, as the manager of said concern, to obtain such appointments for persons patronizing said concern, and his success theretofore in obtaining such appointments for such persons, should cause and induce such the persons aforesaid to believe that the payment of their moneys to him, said Bass, would enable them, through the said Union Teachers' Agencies of America and through him, said Bass, as such manager, to procure the employment so desired by them, and cause and induce them to rely upon such false pretences and representations and to act on such belief and pay their moneys to him, said Bass, the said Bass not intending to render any service therefor when so paid, or to return said moneys to them in any event; but intending to defraud them thereof, as aforesaid,

16 and he, the said Bass, well knowing that such Union Teachers' Agencies of America was not and had not been engaged in business in the manner and under the circumstances and conditions in the said false pretences and representations to be averred, and that such Union Teachers' Agencies of America or the said Bass, as such manager thereof, had not procured employment as a teacher for any person or persons whosoever, and were not and had not been in a position to do or accomplish and had not done or accomplished any of the matters or things in the said false pretences and representations to be so averred that the said Union Teachers' Agencies of America or the said Bass, as such manager thereof, had done and accomplished and were in a position to do and accomplish, and well knowing that in truth and in fact such Union Teachers' Agencies of America was not nor ever had been in existence.

And the grand jurors aforesaid upon their oath aforesaid do further present that the said scheme and artifice to defraud was further in substance and effect as follows and of the kind and nature following—that is to say :

That he, the said Bass, for the purpose of so causing and inducing such the persons first aforesaid to so believe and to so pay to him, the said Bass, their moneys as aforesaid, should falsely pretend and represent to them, the persons aforesaid, in said advertisements, letters, printed circulars, cards, and slips, that a concern called the Union Teachers' Agencies of America was at the time of the issue thereof and had been in existence for a considerable period of time during which it had conducted the business of supplying colleges and other educational institutions throughout the said United States and in Canada and Great Britain with professors and teachers of all kinds and of aiding those desiring it to obtain employment as teachers in such colleges and educational institutions, and

17 that the said concern was then permanently established in said business, and that the said concern had agencies in several large cities and operated through them—that is to say, in the city of Washington, in said District; in the city of Pittsburg, in the State of Pennsylvania; in the city of New Orleans, in the State of Louisiana; in the city of New York, in the State of New York; in

the city of San Francisco, in the State of California; in the city of Chicago, in the State of Illinois; in the city of Saint Louis, in the State of Missouri; in the city of Denver, in the State of Colorado; and in the city of Toronto; in the Dominion of Canada—and that the main and central agency and office of the said concern had been established at the said city of Washington, and that by reason of the location of such agencies in said cities said concern had exceptionally good facilities for gaining useful information in the premises and for rendering assistance to those who might invoke its aid in obtaining employment for them as teachers, and that during the existence of the said concern those who had so invoked its aid were very numerous and included persons who had been educated in, among other universities and colleges, the following—that is to say, Harvard, Yale, Princeton, Am-erst, Bowdoin, Dartmouth, Tufts, Williams, Brown, Cornell, Columbia, Johns Hopkins, Dickinson, William and Mary, Swarthmore, Vassar, Washington and Lee, University of Ohio, University of Texas, University of Illinois, University of Vermont, University of Wisconsin, University of Michigan, University of Minnesota, University of Virginia, University of Maryland, University of Pennsylvania, University of Missouri, University of Toronto, University of Cambridge, England; University of Dublin, Ireland; Universities of Heidelberg, Hamburg, Leipsic, Berlin, Göttingen, University of Woodstock, Bryn Mawr, University of Georgia, University of South Carolina, and New York normal college—and that said concern had supplied

18 persons from among those who had invoked its aid for every position in the following list—that is to say, college presidencies, college professorships, city superintendents of education, principals and assistants of all kinds in normal schools, high school, grammar school, and primary school principalships, city training schools, manual-training schools, and academy principalships, and for positions in public and private schools to teach art, elocution, music, drawing, manual training, cooking, commercial branches, languages, sciences, higher English, and physical culture, and for positions in kindergarten schools, and that the persons so supplied as last aforesaid had proved to be so well qualified for the positions to which they had been appointed and their performance of duty in such positions had been of such a satisfactory character as to earn for the said concern, the Union Teachers' Agencies of America aforesaid, a high reputation among those conducting educational institutions, and that many persons had obtained employment as teachers through the said concern during the year then past, and that of the positions so obtained through the said concern during the year then past ninety per centum had been filled upon the recommendation of the said concern, made upon and in response to applications to said concern from presidents of colleges, superintendents of schools, and school boards, and that the said concern had spent, in the interest and for the benefit of its patrons during the year then past, large sums of money in advertising and corresponding with employers of teachers, and

that it had recommended over eight thousand persons for positions as teachers during the year then past, and that it then had a list of two thousand five hundred vacancies in teachers' positions which would be filled within a short time, and that the Reverend L. D. Bass, D. D. (meaning the said Liston D. Bass), was the manager of said concern, and that he, the said Bass, was a reliable business man and an active worker in the cause of education, and was widely known so to be, and that he, the said Bass, had had much experience in public and private schools, colleges, and universities in the capacity of teacher and as president thereof, and that owing to the personal acquaintance of the said Bass with many prominent kindergarten teachers, persons connected with schools of music, art schools, manual-training schools, and special schools of different kinds many opportunities were presented for obtaining employment as teachers for graduates of normal schools through the said Bass and through the said concern of which he was such manager, and that upon the payment of a fee of two dollars to him, the said Bass, by any person the name of such person would be registered at any one of the agencies aforesaid, to be selected by the person so paying, upon a list which was kept at such agency, which would entitle the person last aforesaid to be recommended and to have his or her name sent by said concern for appointment to vacancies in teachers' positions at places nearest such agency, and that upon the payment of a fee of three dollars to the said Bass the name of such person so paying such last-mentioned fee would be so registered at each and all of the said agencies, which would entitle such last-mentioned person to be recommended and to have his or her name sent by said concern for appointment to such vacancies without reference to the nearness of the place of the position to any particular agency, and that if, upon examinations of the qualifications of the person so paying either of said fees, his or her qualifications were found not to be of a kind that would justify his or her recommendation for the position by him or her sought such fee would be refunded by the said concern.

And the grand jurors aforesaid upon their oath aforesaid do further present:

20 That the said Liston D. Bass, having so devised the said scheme and artifice to defraud, did, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and ninety-eight, and at the District aforesaid, in and for the executing of the same and attempting so to do, unlawfully and knowingly place and caused to be placed in the post-office at the said city of Washington, to be sent and delivered by mail to a certain Jennie S. Betts at Houlton, in the State of Maine, a certain letter enclosed in a certain sealed envelope duly stamped for purposes of mailing and bearing an address and direction of the tenor following—that is to say :

“Miss JENNIE S. BETTS,
Houlton,
Maine.”

and which letter last aforesaid was of the tenor following—that is to say:

"Office of Rev. L. D. Bass, D. D., business manager.

Union Teachers' Agencies of America, Washington, D. C.; Pittsburgh, Pa.; Toronto, Can.; New Orleans, La.; New York, N. Y.; San Francisco, Cal.; Chicago, Ill.; St. Louis, Mo.; Denver, Colo.

WASHINGTON, D. C., Sept. 22, 1898.

Miss J. S. Betts, Houlton, Me.

DEAR MISS BETTS: Your esteemed favor received. As most of our registered teachers are now located, and we have few candidates suitable to recommend, hence we are in a position to guarantee a recommendation to three or more positions, of any one who registers with the Union Teachers' Agencies of America, failing which, we agree to refund the registration fee of \$3.00 as sometimes we cannot conscientiously recommend. We are enabled to do this—and it is something no other agency in the United States does—because of the large number of vacancies caused by teachers enlisting for the Spanish-American war—places which cannot be held open, for the disbanding of the army, as it will be months before all the volunteer soldiers are discharged, and many will not return to teaching, even after leaving the service. Besides, we have a large number of vacant positions from other causes.

The registration fee is good for two years, or until you are located, so you see you are taking no great chance in registering with us. Our work in the past is sufficient endorsement of what we can, and do, accomplish in the way of securing positions for teachers. We handled over 8,000 positions last year and have 2,500 vacancies to be filled within the next six weeks. Our service is not local, but extends all over the United States and Canada, and is general in its character, covering every grade and department of school and college work. It is needless to add that the sooner you register, the sooner we can place you, as the majority of the vacancies must be filled within the next six weeks.

In order to be within easy reach of the educational centres of the country, and to keep in direct communication with the Federal Commissioner of Education, we have located our central office at the capital of the nation, at which point we will be pleased to receive your application by return mail.

We enclose our registration blank, which is self-explanatory, and some printed matter, which will serve in the absence of our manual testimonials, and give you an idea of our standing and responsibility. Assuring you we can meet your expectations, and awaiting your further favors, we are,

Very truly,

L. D. BASS."

against the form of the statute in such case made and provided, and against the peace and Government of the said United States.

THOMAS H. ANDERSON,
*Attorney of the United States in and
for the District of Columbia.*

(Endorsed:) No. 22872. United States vs. Liston D. Bass. Violation of section 5840, R. S. U. S. Witnesses: Court F. Wood, Frank E. Little. A true bill. Henry C. Johnson, foreman.

22

Demurrer to Indictment.

Filed in open court Mar. 27, 1901.

In the Supreme Court of the District of Columbia, Holding a Special Term for Criminal Court Business.

UNITED STATES } Criminal. No. 22871. (Bureau of Civil Service
vs. Instruction.)
LISTON D. BASS. }

Demurrer.

The defendant says that the indictment in this case is bad in substance.

DOUGLASS & DOUGLASS,
LECKIE & FULTON,
Attorneys for Defendant.

NOTE.—Among other matter of law to be argued are the following:

1. That each of the said three counts in the indictment is fatally defective, in that each of them fail to charge a complete offense.
2. That all of the said counts are bad for duplicity.
3. That the first and second counts of the said indictment fail to state an offense against United States, in that the time and place of the alleged offense or offenses are not given with sufficient certainty, precision, and defi-ti-ness, and that in general the said counts are too vague, indefinite, and uncertain to constitute in law a crime.
4. That the third count of the said indictment is defective and incomplete and fails to charge an offense against the statute.
5. That all of the said counts of the said indictments are fatally defective, in that the said counts do not charge that the defendant mailed the letters therein set forth or otherwise used the Post-office Department with intent to defraud.
6. That the whole indictment is fatally defective, in that there has been improperly, and contrary to the provisions of the statutes, three alleged offenses which did not occur within the same six calendar months.
7. That the said indictment is fatally defective in divers other ways and particulars.

_____,
_____,
Attorneys for Defendant.

24

Demurrer.

Filed in open court Mar. 27, 1901.

In the Supreme Court of the District of Columbia, Holding a Special Term for Criminal Court Business.

UNITED STATES }
 v. } Criminal. No. 22872. (Union Teachers' Agencies of America.)
 LISTON D. BASS. }

Demurrer.

The defendant says that the indictment in this case is bad in substance.

DOUGLASS & DOUGLASS,
 LECKIE & FULTON,
Attorneys for Defendant.

NOTE.—Among other matters of law to be argued are the following:

1. That the said indictment is fatally defective in that it fails to charge a complete offense.
2. That said indictment is bad for duplicity.
3. That said indictment fails to state an offense against the United States, in that the time and place of the said offense or offenses are not given with sufficient certainty, precision, and definiteness, and that in general the charges in said indictment are too vague, indefinite, and uncertain to constitute in law a crime.
4. That the said indictment is fatally defective and incomplete and fails to charge an offense against the statute, in that the said indictment does not charge that the defendant mailed the letter therein set forth or otherwise used in the post-office establishment with intent to defraud.
5. That the said indictment is fatally defective in divers other ways and particulars.

_____,
 _____,
Attorneys for Defendant.

25

Motion for Bill of Particulars.

Filed in open court Mar. 26, 1901.

In the Supreme Court of the District of Columbia, Holding a Special Term for Criminal Court Business.

UNITED STATES }
 vs. } Criminal. No. 22871. (B. C. S. I.)
 LISTON D. BASS. }

Now comes the defendant in the above-entitled cause, by his attorneys, and moves the court for an order requiring the United

States to file for his information a bill of particulars as to the nature and contents of the letters, cards, pamphlets, etc., vaguely referred to in the indictment, and that the plaintiff be required specifically to designate what printed circulars, cards, slips, and letters are referred to in the said indictment and the dates thereof, the persons to whom sent, and the portions thereof which the Government relies upon to establish the charge that the defendant devised a scheme and artifice to defraud.

DOUGLASS & DOUGLASS,
LECKIE & FULTON,
Attorneys for Defendant.

I consent to the court taking up & hearing the motion tomorrow morning.

26

Motion for Bill of Particulars.

Filed in open court Mar. 26, 1901.

In the Supreme Court of the District of Columbia, Holding a Special Term for Criminal Court Business.

UNITED STATES
vs.
LISTON D. BASS. } Criminal. No. 22872. (U. T. A.)

Now comes the defendant in the above-entitled cause, by his attorneys, and moves the court for an order requiring the United States to file, for his information, a bill of particulars as to the nature and contents of the letters, cards, pamphlets, etc., vaguely referred to in the indictment, and that the plaintiff be required specifically to designate what printed circulars, cards, slips, and letters are referred to in the said indictment and the dates thereof, the persons to whom sent, and the portions thereof which the Government relies upon to establish the charge that the defendant devised a scheme and artifice to defraud.

DOUGLASS & DOUGLASS,
LECKIE & FULTON,
Attorneys for Defendant.

I consent for the court to hear the above motion tomorrow morning.

27

Court Proceedings.

WEDNESDAY, March 27, 1901.

The court resumes its session pursuant to adjournment, Mr. Justice Barnard presiding.

* * * * *

UNITED STATES } No. 22871. Indicted for Violation of Section
 vs. 5480, R. S. U. S.
 LISTON D. BASS }

and

UNITED STATES } No. 22872. Indicted for Violation of Section
 vs. 5480, R. S. U. S.
 LISTON D. BASS. }

Come as well the attorney of the United States as the defendant in proper person and by his attorneys, Messrs. Douglass and Douglass and Leckie and Fulton, whereupon the defendant's demurrs to said indictments and motions for bills of particulars coming on to be heard, after argument, it is considered by the court that said demurrs and motions be, and they are hereby, overruled; and thereupon the attorney of the United States announces in open court that he will not claim a conviction upon the first count of indictment No. 22871; whereupon, for plea to the said indictments, the defendant says he is not guilty in manner and form as charged therein, and for trial puts himself upon the country, and the attorney of the United States doth the like; and, thereupon, on motion of the U. S. attorney, it is by the court ordered that for the purposes and convenience of trial the above indictments be, and hereby are, consolidated; whereupon comes a jury of good and lawful men of the District of Columbia, to wit, Thomas C. Elliott, Charles J. Bogan, Jay B. Smith, Walter S. Pratt, John A. Pierpont, Henry T. Ries, Robert G. Campbell, J. E. Minnix, Thomas I. Luxen, Paul R. Hallam, John A. Limerick, and Bazil Frazier, who, being sworn well and truly to try the issues above joined, are respited until the meeting of the court tomorrow.

* * * * *

28

THURSDAY, April 11, 1901.

The court resumes its session pursuant to adjournment, Mr. Justice Barnard presiding.

* * * * *

UNITED STATES } No. 22871. Indicted for Violation of Section
 vs. 5480, R. S. U. S.
 LISTON D. BASS, }

and

UNITED STATES } No. 22872. Indicted for Violation of Section
 vs. 5480, R. S. U. S.
 LISTON D. BASS.)

Come again the parties aforesaid in manner as aforesaid and the jury that was respited yesterday; and thereupon, after hearing arguments of counsel and charge by the court, the jury, upon their oath, say that the defendant is guilty in manner and form as charged in indictment No. 22872, and on the second and third

counts of indictment No. 22871, but not guilty on the first count thereof; whereupon, on motion of the defendant, by his attorneys, the jury is polled; and thereupon the defendant enters into a recognizance in indictment No. 22871 in the sum of four thousand dollars (\$4,000), with the Union Surety and Guaranty Company of Philadelphia, Pa., as his surety, approved by the court, for his, said defendant's, appearance in this court from day to day during the present and its subsequent terms and hear and receive the sentence of this court in said causes to be pronounced when required, or if he depart the court without leave.

29

Motion in Arrest of Judgment.

Filed in open court Apr. 16, 1901.

In the Supreme Court of the District of Columbia, Holding a Special Term for Criminal Court Business.

UNITED STATES }
 vs. } Criminal. Nos. 22871 & 22872.
 LISTON D. BASS. }

Now comes the defendant, in his proper person and by his attorneys, Douglass & Douglass and Leckie & Fulton, and moves the court to arrest the judgment in the above-entitled cause, and for reasons therefor shows to the court:

1. That the verdict of the jury is contrary to the evidence and to the law.
2. That each of the counts in the indictments in the above-entitled cause is fatally defective in that they and each of them fail to charge a complete offense.
3. That all of the said counts in said indictments are bad for duplicity.
4. That the first and second counts in the indictments fail to state an offense against the laws of the United States in that the time and place of the alleged offense or offenses are not given with sufficient certainty, precision, and definiteness, and that in general the said counts are too vague, indefinite, and uncertain to constitute in law a statement or charge of a crime under section 5480 of the Revised Statutes of the United States.
5. That the third count of the indictment, relating to the Bureau of Civil Service Instruction, fails to charge an offense against the statute.
6. That the indictments are fatally defective in that they fail to state in any and all of the counts therein that the defendants used or attempted to use the United States post-office establishment with the intent to defraud.

30 DOUGLASS & DOUGLASS,
 LECKIE & FULTON,
 Attorneys for Defendant.

United States attorney for the District of Columbia, city hall, city :

Please take notice that we will call up the above motion before Mr. Justice Barnard, sitting in criminal court No. 1, on the 22nd day of April, A. D. 1901, at 10 o'clock a. m., or as soon thereafter as counsel can be heard.

DOUGLASS & DOUGLASS,
LECKIE & FULTON,
Attorneys for Defendant.

31

Motion for a New Trial.

Filed in open court Apr. 16, 1901.

In the Supreme Court of the District of Columbia, Holding a Special Term for Criminal Court Business.

UNITED STATES
vs.
LISTON D. BASS. } Criminal. Nos. 22871 & 22872.

Now comes the defendant in his own proper person and by his attorneys, Douglass & Douglass and Leckie & Fulton, and moves the court for an order declaring and adjudging the verdict in this case illegal, null, & void, and for a new trial in the above-entitled cause, and for reasons therefor shows to the court:

1. That the verdict is contrary to the evidence.
2. That the verdict is contrary to the weight of the evidence.
3. That the verdict is contrary to law.
4. That the court erred in instructions given to the jury, especially in the statement that if it should appear from the evidence that defendant had knowingly made exaggerated statements or misrepresentations in his literature the jury would be at liberty to infer fraud and render a verdict of guilty.
5. That the court erred in refusing to admit evidence offered by defendant.
6. That the court erred in refusing to allow to be read to the jury certain letters, papers, and documents that had been admitted in evidence on behalf of the defendant.
7. That the court erred in admitting evidence offered by the Government.
8. That the court erred in overruling the defendant's motion for a bill of particulars.
- 32 9. That the court erred in denying the prayer of defendant's petition asking that the letters, papers, and documents offered by the Government and admitted in evidence on the trial be filed with and kept by the clerk of the court, subject to the inspection of and examination by defendant and his counsel.
10. That the court erred in consolidating the two indictments against defendant.
11. That the court erred in overruling the demurrers interposed by the defendant.

12. Because there was no such verdict by the jury as the law requires to convict the accused, in that one of the jurors, at the time the verdict was arrived at and rendered in open court, was unable to and incapable of giving his consent to such verdict, and reference is craved to the affidavits herewith filed and made part of this motion.

13. And for divers other errors committed by the court appearing on the record.

DOUGLASS & DOUGLASS,
LECKIE & FULTON,
Attorneys for Defendant.

United States attorney for the District of Columbia, city hall, city :

Please take notice that we will call up the above motion before Mr. Justice Barnard, sitting in criminal court No. 1, on the 22nd day of April, A. D. 1901, at 10 o'clock a. m., or as soon thereafter as counsel can be heard.

DOUGLASS & DOUGLASS,
LECKIE & FULTON,
Attorneys for Defendant.

33

FRIDAY, May 17, 1901.

The court resumes its session pursuant to adjournment, Mr. Justice Barnard presiding.

* * * * *

UNITED STATES }
vs. } No. 22871. Convicted of Violation of Section 5480,
LISTON D. BASS. } R. S. U. S.

Come as well the attorney of the United States as the defendant in proper person according to his recognizance and by his attorneys, Messrs. Douglass and Douglass and Fulton and Leckie; and thereupon the defendant's motions in arrest of judgment and for a new trial having been heretofore argued and submitted to the court, it is considered by the court that said motions be, and they are hereby, overruled; whereupon it is demanded of the defendant what further he has to say why the sentence of the law should not be pronounced against him, and he says nothing except as he has already said; whereupon it is considered by the court that for his said offense the defendant be taken by the warden to the common jail, thence to the West Virginia penitentiary at Moundsville, W. Va., there to be imprisoned and kept at labor for the period of eighteen (18) months, to take effect from the date of his arrival at said penitentiary, and pay a fine of five hundred dollars (\$500); and thereupon the defendant, by his attorneys, prays an appeal to the Court of Appeals of the District of Columbia from the judgment of this court in this cause, which is granted, and the U. S. attorney in open court waives the issue of citation; whereupon the defendant, by his attorneys,

moves the court to fix the amount of bond on appeal to the Court of Appeals, which motion is granted, and said bond is fixed in the sum of one hundred dollars (\$100).

34 UNITED STATES } No. 22872. Convicted of Violation of
vs. } Section 5480, R. S. U. S.
LISTON D. BASS. }

Come as well the attorney of the United States as the defendant in proper person according to his recognizance and by his attorneys, Messrs. Douglass and Douglass and Leckie and Fulton, and thereupon the defendant's motions in arrest of judgment and for a new trial having been heretofore argued and submitted to the court, it is considered by the court that said motions be, and they are hereby, overruled; whereupon it is demanded of the defendant what further he has to say why the sentence of the law should not be pronounced against him, and he says nothing, except as he has already said; whereupon it is considered by the court that for his said offense the defendant be taken by the warden to the common jail, thence to the West Virginia penitentiary at Moundsville, W. Va., there to be imprisoned and kept at labor for the period of eighteen (18) months, to take effect upon the expiration of sentence in cause No. 22871 of this court, and pay a fine of five hundred dollars (\$500), and thereupon the defendant, by his attorneys, prays an appeal to the Court of Appeals of the District of Columbia from the judgment of this court in this cause, which is granted, and the U. S. attorney in open court waives the issue of a citation; whereupon the defendant, by his attorneys, moves the court to fix the amount of bond on appeal to the Court of Appeals, which motion is granted, and said bond is fixed in the sum of one hundred dollars (\$100).

35

Recognizance on Appeal.

(Acknowledged on the 17th day of May, 1901.)

In the Supreme Court of the District of Columbia, Holding a
Criminal Court.

THE UNITED STATES } Criminal. No. 22871. Charge, Vio. Sec.
vs. } 5480, R. S. U. S.
LISTON D. BASS. }

The defendant and the Union Surety & Guaranty Co. of Philadelphia, Pa., his surety, acknowledge themselves indebted to the United States in the sum of two thousand (\$2,000) dollars, to be levied of their and each of their lands and tenements, goods and chattels, if the said defendant, Liston D. Bass, fail to forthwith surrender himself to the custody of the marshal of this District, to be dealt with and proceeded against according to law in case the judgment appealed from shall be affirmed or the appeal from any cause dismissed, or

the judgment be reversed and a new trial ordered, or if the said defendant depart the court without leave.

LISTON D. BASS.
THE UNION SURETY AND
GUARANTY CO.,
By WM. OSCAR ROOME,
Local V. Pres. and Att'y-in-fact.

Acknowledged in open court before me—

J. R. YOUNG, *Clerk,*
By F. W. SMITH,
Assistant Clerk.

Surety approved by Justice Bradley.

Recognizance on Appeal.

(Acknowledged on the 17th day of May, 1901.)

In the Supreme Court of the District of Columbia, Holding a Criminal Court.

THE UNITED STATES } vs. LISTON D. BASS. } Criminal. No. 22872. Charge, Vio. Sec. 5480, R. S. U. S.

The defendant and the Union Surety & Guaranty Co. of Philadelphia, Pa., his surety, acknowledge themselves indebted to the United States in the sum of two thousand (\$2,000) dollars, to be levied of their and each of their lands and tenements, goods and chattels, if the said defendant, Liston D. Bass, fail to forthwith surrender himself to the custody of the marshal of this District, to be dealt with and proceeded against according to law in case the judgment appealed from shall be affirmed or the appeal for any cause dismissed, or the judgment be reversed and a new trial ordered, or if the said defendant depart the court without leave.

LISTON D. BASS.
THE UNION SURETY AND
GUARANTY CO.,
By WM. OSCAR ROOME,
Local V. Pres. and Att'y-in-fact.

Acknowledged in open court before me—

J. R. YOUNG, *Clerk,*
By F. W. SMITH,
Assistant Clerk.

Surety approved by Justice Bradley.

Memorandum.

May 17, 1901.—Appeal bond for \$100, with the Union Surety and Guaranty Co. of Philadelphia, Pa., as surety, filed.

38 Filed in Open Court May 21, 1901. J. R. Young, Clerk.

In the Supreme Court of the District of Columbia, Holding Criminal Court.

LISTON D. BASS, Appellant, } Criminal. No. 22871, Docket
 vs. } No. —.
 THE UNITED STATES, Appellee. }

The President of the United States to Ashley M. Gould, attorney for the United States in and for the District of Columbia, Greeting:

You are hereby cited and admonished to be and appear at a Court of Appeals of the District of Columbia, upon the docketing of the cause herein under and as directed by the rules of said court, pursuant to an appeal noted in open court in the supreme court of the District of Columbia on the 17th day of May, 1901, and wherein Liston D. Bass is appellant and The United States appellee, and to show cause, if any there be, why the judgment rendered against said appellant should not be corrected and why speedy justice should not be done to the parties in that behalf.

Witness the Honorable Edward F. Bingham, chief justice of the supreme court of the District of Columbia, this the 21st day of May, A. D. 1901.

JOHN R. YOUNG, *Clerk*,
 By HARVEY GIVEN, *Ass't Clerk*.

Service of the above citation accepted this the 21st day of May, 1901.

ASHLEY M. GOULD,
Attorney for Appellee.

39 Filed in Open Court May 21, 1901. J. R. Young, Clerk.

In the Supreme Court of the District of Columbia, Holding Criminal Court.

LISTON D. BASS, Appellant, } Criminal. No. 22872, Docket
 vs. } No. —.
 THE UNITED STATES, Appellee. }

The President of the United States to Ashley M. Gould, attorney for the United States in and for the District of Columbia, Greeting:

You are hereby cited and admonished to be and appear at a Court of Appeals of the District of Columbia, upon the docketing of the cause herein under and as directed by the rules of said court, pursuant to an appeal noted in open court in the supreme court of the District of Columbia on the 17th day of May, 1901, and wherein Liston D. Bass is appellant and The United States appellee, and to show cause, if any there be, why the judgment rendered against said

appellant should not be corrected and why speedy justice should not be done to the parties in that behalf.

Witness the Honorable Edward F. Birmingham, chief justice of the supreme court of the District of Columbia, this the 21st day of May, 1901.

JOHN R. YOUNG, *Clerk,*
By HARVEY GIVEN, *Ass't Clerk.*

Service of the above citation accepted this the 21st day of May, 1901.

ASHLEY M. GOULD,
Attorney for Appellee.

40

WEDNESDAY, *June 5, 1901.*

The court resumes its session pursuant to adjournment, Mr. Justice Barnard presiding.

* * * * *

UNITED STATES } vs. { No. 22871. Convicted of Violation of Section
LISTON D. BASS. } 5480, R. S. U. S.

and

UNITED STATES } vs. { No. 22872. Convicted of Violation of Section
LISTON D. BASS. } 5480, R. S. U. S.

Come as well the attorney of the United States as the defendant, by his attorneys, Messrs. Douglass and Douglass and Leckie and Fulton; and thereupon, on motion of the attorneys for the defendant, it is, by the court, ordered that the time for filing the transcript of the record in the Court of Appeals, on the appeal taken in said causes, be, and it is hereby, extended to September 1, 1901.

41

WEDNESDAY, *August 28, 1901.*

The court resumes its session pursuant to adjournment, Mr. Justice Barnard presiding.

UNITED STATES } vs. { Indictments No. 22871 and 22872.
LISTON D. BASS. }

Upon consideration of the application of Liston D. Bass, defendant in the above-entitled causes, by his attorneys, Douglass & Douglass and Leckie & Fulton, and the United States district attorney consenting thereto, and sufficient cause appearing to the court, it is, by the court, this 28th day of August, 1901, ordered that the time for the settling and signing and sealing the bill of exceptions in these causes be, and it hereby is, extended until September 16, 1901.

Further ordered that the time for filing the transcript of the

record in the above-entitled causes in the Court of Appeals of the District of Columbia be, and it hereby is, extended until October 1, 1901.

42 Supreme Court of the District of Columbia.

TUESDAY, *September 10th, 1901.*

The court resumes its session pursuant to adjournment, Mr. Justice Anderson presiding.

* * * * *

UNITED STATES } No. 22871 and 22872. Convicted of Violating
^{vs.} Section 5480, R. S. U. S.
 LISTON D. BASS. }

Upon consideration of the application of Liston D. Bass, defendant in the above-entitled causes, and upon motion of his attorneys, Douglass & Douglass and Leckie & Fulton, the United States attorney consenting thereto, and sufficient cause appearing to the satisfaction of the court, it is, this 10th day of September, 1901, by the court ordered that the time for the settling, signing, and sealing the bill of exceptions in these causes be, and it hereby is, extended until October 16th, 1901.

Further ordered that the time for filing the transcript of record in said causes in the Court of Appeals of the District of Columbia be, and it is hereby, extended until November 1, 1901.

T. H. ANDERSON, *Justice.*

43 *Order for Transcript of Record.*

Filed Oct. 12, 1901.

In the Supreme Court of the District of Columbia.

UNITED STATES } Criminal Docket No. 22, Cases Numbered
^{vs.} 22871 and 22872.
 LISTON D. BASS. }

Mr. J. R. Young, clerk.

DEAR SIR: You will please include in the transcript of record on appeal in the above-entitled cases to the Court of Appeals of the District of Columbia the papers on file as enumerated hereinbelow. The bill of exceptions have not been settled on this date, but will probably be in a day or two. As the record will be voluminous, we ask that you begin without delay to get up the record.

Indictments in both cases as numbered in caption.

Demurrers filed by defendant in both cases.

Motions for bill of particulars in both cases.

Overruling said motions and also demurrers.

Defendant's pleas in both cases.

Motion by U. S. attorney to consolidate the two cases.
 Order consolidating causes.
 Jury sworn.
 Verdict of jury.
 (The bill of exceptions.)
 Motions in arrest of judgment and for new trials.
 Overruling both of said motions.
 Sentence and judgment of the court pronounced.
 Judgment entered.
 Appeal to the Court of Appeals noted in open court.
 Citation issued ; service accepted by U. S. attorney.
 Bond fixed on appeal in sum of \$100.
 Bond executed ; memorandum.
 44 Recognizance given by defendant for bail.
 Order extending time to file transcript to September 1,
 1901.
 Order passed extending time for settling bill of exceptions until
 September sixteenth, 1901, and filing transcript October 1, 1901.
 Order extending time for settling bill of exceptions until October
 16 and filing transcript until November 1, 1901.
 You will note that we have included in the foregoing designations the "bill of exceptions." As hereinbefore stated, the bill will be settled within a very short time, and then it can be included in the record. In the meantime the other papers can be prepared and held until the bill is filed.
 Yours very truly,

DOUGLASS & DOUGLASS,
 LECKIE & FULTON,
Attorneys for Defendant.

Supreme Court of the District of Columbia, October 14, 1901.

By Justice Barnard.

UNITED STATES <i>vs.</i> LISTON D. BASS.	} No. 22871. Convicted of Violation of Section 5480, R. S. U. S.
UNITED STATES <i>vs.</i> LISTON D. BASS.	

No. 22872. Convicted of Violation of Section
 5480, R. S. U. S.

Now comes here the defendant, by his attorneys, Messrs. Douglass and Douglass and Leckie and Fulton, and presents to the court his bill of exceptions to the rulings of the court taken at the trial of said causes and prays that the same may be signed, sealed, and made a part of the record, which is done accordingly, *nunc pro tunc*.

45

Bill of Exceptions.

Filed in Open Court October 14, 1901. J. R. Young, Cl'k.

In the Supreme Court of the District of Columbia, Holding a Criminal Term.

THE UNITED STATES } Indictments Numbered 22871 and
vs. } 22872.
LISTON D. BASS, Defendant. }

Be it remembered that on the 27th day of March, A. D. 1901, the above-entitled causes were called for trial before the Honorable Job Barnard, presiding justice. The defendant having interposed demurrers to the indictments in the above-entitled causes, and the same being duly considered and overruled by the court, the defendant, by his counsel, then and there noted exceptions to the rulings of the court, and the same were noted by the presiding justice upon his minutes.

Thereupon the attorney for the United States moved the court to consolidate the trial upon the indictments numbered, respectively, 22871 and 22872, and counsel for defendant interposed an objection to said motion. Thereupon the court ordered the consolidation of said indictments and overruled the defendant's said objection; to which ruling of the court the defendant, by his counsel, duly excepted, and said exception was noted by the presiding justice upon his minutes.

And thereupon counsel for the defendant called the attention of the court to the motion filed on behalf of the defendant to require the United States to file bills of particulars as to the nature and contents of the various papers relied upon in the indictments 46 and the dates thereof and the persons to whom they were sent and the portions thereof which the Government relied upon to establish fraud. Said motion was overruled by the court; to which ruling the defendant then and there excepted, and said exception was duly noted upon the minutes of the presiding justice.

Whereupon, the defendant having pleaded and the jury being regularly empanelled and duly sworn, the Government, to maintain the issues upon its part joined, called

MARGARET W. DANIELS, a witness called by and sworn on behalf of the Government, testified substantially as follows:

That she resided in Newberry, South Carolina; became acquainted with defendant in April, 1898, at Staunton, Virginia, under the following circumstances: She received a note from the principal of the Mary Baldwin seminary, and upon her arrival she was introduced to the defendant; he said he wanted a teacher for his children for about two hours in the mornings, and after that to do his office work; having made the necessary arrangements with him,

she went to Saltsburg, Pennsylvania; she had a contract with him to teach the children and do office work for ten dollars a month, board and laundry; defendant said his business was that of "Manager of the Union Teachers' Agency," besides being pastor of the Baptist church at Saltsburg; she held the official position of his secretary. Her name appeared on his literature as M. W. Daniels, secretary Union Teachers' Agency.

Q. You say that these circulars you know to be such as were there at defendant's house and sent out therefrom? A. Yes.
47 My duty was to put such papers in envelopes of teachers who applied for positions through the Union Teachers' Agency.

* * * She remained with defendant at Saltsburg from April until the first of September, 1898. She then went to Washington, D. C., with defendant and his family, located at #123 5th St. N. E., and remained there from September, 1898, to June, 1899.

Q. When you were at #123 5th St. N. E. what corp- of professors were there, if any? A. There were no corp- of professors that she knew of. His family, himself, and she were there, and while she was there he had two assistants at different times. His wife, his eldest son, and daughter helped in the office; folded a good deal. His son wrote on the typewriter and his smaller children did folding and things like that and she helped. So far as she knew, defendant had no other place of business except #123 5th St. N. E. at that time. Defendant wrote at his desk and attended to the financial part of the business, keeping the agency going, advertising, and receiving the registration fees. That is the way she understood it. Her understanding was that he received vacancies from the different cities that are marked on the head-lines. There were different ways of procuring vacancies. He procured some of them through clipping bureaus from different cities. She didn't remember the cities, but she thought there was one from Chicago and one from Boston. They were newspaper clippings which showed vacancies in different parts of the United States. There was a blank sent out to all teachers who registered which contained the names of vacancies, and at the bottom thereof there was a coupon with the request that they should send it back with a statement that they had received said notices of vacancies.

48 Another way the vacancies were procured was by registered teachers sending him in vacancies. He would write to the presidents of different colleges to know whether they expected to have vacancies at different times and if they would let him know. When the teachers made application they were sent the literature of the agency, and if they wanted to be registered they would send their fee and this registration fee was sent to the manager of the agency, Mr. Bass. Mr. Bass opened all the mail, received all the money unless he was away, and then his wife opened the mail. All this mail came to Mr. Bass in his name. After the teacher was registered she had to look over the blanks to see what position they were capable of filling and selected from the vacancies in stock what she thought would suit the teacher and she would send her

the vacancy. They sent out the list of vacancies on a blank having the name of the school and the person to whom they had to apply. The teacher was requested to pull off a coupon attached to it saying that they had received a vacancy and would then send it back to Mr. Bass. The blanks were kept in different envelopes and marked under different heads. If they wanted a professorship of mathematics it was *it was* in one envelope, and in any science it was in another, and she would look in the registration blanks to see what the teacher wanted and then look into the envelopes to see where the different vacancies were to suit each one. The clippings from the clipping bureaus would be in these envelopes.

The district attorney showed the witness the following blank,
which was identified by her as the blank used for the pur-
49 pose just described, and without objection same was admitted
in evidence and will hereinafter be referred to as Govern-
ment's Exhibit "A:"

Letters of application addressed to the home office, Saltsburg, Pa., will be received from one to two hours sooner than if sent to the central office, Pittsburg, Pa.

Office of Rev. L. D. Bass, D. D., business manager.

Union Teachers' Agencies of America, Pittsburg, Pa.; Toronto.
Can.; New Orleans, La.; New York, N. Y.; San Francisco, Cal.;
Washington, D. C.; Chicago, Ill.; St. Louis, Mo.; Denver, Colo.

SALTSBURG, PA., —, 189—.

M.— — :

Apply for the following position :

Kind of position : — ; branches : — .

Name of school : — .

Person to whom to send application : President board of education.

Town : — .

State : — .

Or Mr. — — .

Date, — — — , 189—.

Dr. L. D. Bass, manager.

DEAR SIR : I have received your favor of the — (date) informing me of the vacancy at — . I will apply for the same. I will write for further information before applying. I shall not apply for it.

Reason : — .

Remarks : — .

Salary : — . Name : — — .

Town : — ; State : — .

[On the margin:] (Fill out, tear off, and send to us by return mail.)

50 Q. From what source were most of these vacancies procured?

Mr. DOUGLASS: I object to that question as irrelevant and immaterial. It does not make any difference from what source most of them were obtained. It is competent to show the manner and method resorted to for the purpose of obtaining the vacancy.

Mr. TAYLOR: It depends upon this point. These clippings from the clipping bureaus might have been obtained three or four months before they were sent out. They might have seen it in a paper—these clippings coming from the bureau—and they might have been six months late, and that might have some bearing on this question.

The COURT: She can state in what proportion vacancies were sent out. She can state as near as she can. She has stated that a great many of them were newspaper clippings, and she can state what proportion.

Mr. DOUGLASS: As this question may be asked of other witnesses, we desire to save the point and note an exception.

The COURT: You can ask her to state what proportion came from that source.

Q. State what proportion of these vacancies came from the clipping bureaus, if you know.

Mr. DOUGLASS: That is the question your honor admitted, and we reserve an exception.

A. She didn't know the amount. Most of them came from the clipping bureaus at first, but toward the end of her stay he received a great many of them from those blanks of registered teachers.
51 After these clippings were sent in witness did not know that there were any steps taken by defendant to find out whether or not a vacancy actually existed as set forth in the clippings or not.

She did not know that defendant had any agencies at Pittsburg, Toronto, New Orleans, New York, Chicago, St. Louis, and Denver; never had any correspondence with other agencies around the country—that is, the agencies set forth.

Some of the teachers sent \$2 and some of them \$3. They were sent vacancies all over the United States if they sent \$3 registration fee, and for \$2 registration fee they were only sent vacancies in their own State or the States near where they lived.

For the \$3 fee they would be registered in agencies all over the United States, as set forth according to the blank. Both the \$2 and the \$3 registration fee were received in Washington, — — —, secretary.

As to instruction furnished by the Bureau of Civil Service Instructions, she sent out questions to the people who registered.

The district attorney here closed his direct examination, and thereupon the witness testified as follows upon

Cross-examination:

That she was then teaching in Newberry, S. C.; was educated in the Mary Baldwin seminary and in the high school at Staunton, Va.; graduated at the high school in 1897; taught after graduation before she went with Dr. Bass; witness had had two and half
52 years' experience in teaching.

She further testified that the purpose of the agency was to find out vacancies existing in the U. S. and elsewhere and supply teachers therewith, giving the location, salary, etc., to teachers who wanted such positions and had registered with the agency.

The witness again described the different methods of obtaining vacancies and blank "notification of vacancy" hereinbefore set out.

Witness then testified that this blank was also sent to superintendents of public institutions in various sections of the country, and, preliminary to registering, registration blanks were sent out to the teacher, who would fill out, sign, and return the same to the agency with the registration. The questions on these blanks were generally well and fully answered and the instructions thereon followed by the teacher. The printed matter on the back, "our terms," represented the terms upon which the teachers were registered. Thereupon the blank described was offered in evidence, marked "Exhibit A. H. G. No. 1," and will hereinafter be referred to as said exhibit.

Register of Union Teachers' Agencies of America.

Pittsburg, Pa.; Toronto, Can.; New Orleans, La.; New York, N. Y.; San Francisco, Cal.; Washington, D. C.; Chicago, Ill.; St. Louis, Mo.; Denver, Col.

Do not write on this margin. It is for our use. Applicants should use much care in filling out this form, taking pains to write plainly, with black ink, and to give clear and concise answers to all questions.

In the following list underscore TWICE your first choice, and once any position you would accept.

College.—President Prof. of or of
 Normal school.—Principal Instructor in
 Private school.—Preparatory, ladies' seminary, academy, boys' school.
 Principal or teacher of
 Public school.—Superintendent, principal high school, principal graded school, assistant in high school, training teacher, first, second (primary), third, fourth, fifth (intermediate), sixth, seventh, and eighth (grammar), ungraded school, kindergarten. Special teacher of

In the following list underscore ONCE every branch you can teach, TWICE every one you have taught, and THREE times those you prefer and consider yourself best fitted to teach.

Reading	American literature	Banjo	Typewriting
Pollard sound system	Civil government	Harmony	Book-keeping
Grammar	U. S. history	Voc. music, private school	Commercial law
Geography	General history	Voc. music, public school	Commercial arithmetic
Physical geography	Political economy	Tonic sol-fa	Elocution
Arithmetic	Social science	Staff	Del Sarte system
Algebra	Logic	Drawing, public school	Calisthenics
Geometry	Mental philosophy	Prang's system	Gymnastics
Trigonometry	Moral philosophy	Free-hand drawing	Physical culture
Surveying	Pedagogy	Mechanical drawing	Military tactics
Mechanics	Training work	Perspective drawing	Industrial work
Calculus	Latin	Architectural drawing	Wood
Engineering	Greek	Drawing, private school	Iron
Physics	French	Painting	Sewing
Chemistry	German	Crayoning	Cooking
Geology	Italian	Pastel	Want to rent?
Botany	Spanish	Decorative art	Want to purchase?
Zoology	Anglo-Saxon	Needle-work	Lutheran?
Physiology	[Put a cross after any of these languages you can speak freely.]	Penmanship	Episcopalian?
Astronomy		Shorthand	Catholic?
Agriculture		Telegraphy	Native German?
Temperance			Native French?
Hygiene			Would you go to a foreign country?
Composition	Piano		Colored teacher?
Rhetoric	Organ		Matron
English	Violin		Unclassified
Eng. literature	Cornet		

If a graduate, of what school? Do you sing at all?
 Of what grade is your certificate? ... What salary do you expect?
 In what school have you taught, and

how long in each? Least salary you would probably accept?

..... In what grades have you taught?... Where now engaged?..

Any preference as to locality? What is your present salary?

Are there any States in which you would not accept a position, however good? and if so, which?..... Where were you born? What church do you attend? What is your age?.. Your weight?.. Are you a member of this church?.. Your height?.. Are you married?.. Do you play the piano or organ for Have you good health? singing? ... Are you successful in discipline? ... Do you play any other instrument?.. When will you be ready to take a position? Have you determined to leave your present position whether you get a better one or not? If so, state reason fully and clearly..... Name best schools in which you have studied If you desire to be a candidate for any position as a specialist, state your special training for, and your experience in this special line.

I hereby accept the terms of the agencies as given on the back of this form.

Sign your full name
and address here: Name Date. 189..
Address (town) State
Telegraph address

Registration fee, \$3 in all of the 10 offices. \$2 will register you in any one office, and the name of applicant will be sent to vacancies nearest the office where registered. Send with this register, by P. O. order, check or draft, made payable to

L. D. BASS,
Manager, Washington, D. C.

It would be preferable for applicants for a position to pay the \$3, which would entitle them to register in all the offices.

Give the names and addresses of two or more persons who know concerning your scholarship and teaching ability and character, and to whom you are willing we should write. Put one name and address only on each line, and designate in each case the profession or calling of the person referred to [to indicate the value of his opinion]. Also send copies of your testimonials and send your photograph.

If you wish us or our agents to recommend you to any special city, or for any special position you have in mind, indicate it here.

For our use.	Recommended to	Date
	"	Date
	"	Date

Our Terms.

When an engagement is made in a school to which we refer you or send your name, you agree to pay us a commission of five per cent. on the salary for one year. Ten dollars is due at the time of accepting the position. For the balance two equal notes will be given, payable at the end of the first and second months.

The commission is charged on one year's salary, no more, no less, whatever the length of the engagement. When, however, a teacher is employed as a substitute, or to fill a temporary vacancy, seven per cent. will be charged on the salary actually received.

When board is given as a part of salary it is estimated at \$200 per year and commission charged thereon.

When engaged without a fixed salary, as in an academy supported by tuition, in whole or in part, the teacher agrees to pay \$25 [if a lady] and \$40 [if a gentleman]. For a registration outside Canada and U. S., a registration of \$5 will be charged.

Candidates are required to send in an immediate reply to every notice of vacancy.

Failure to acknowledge information of vacancies does not lessen the obligation of the candidate for commission if elected to the position.

If it shall appear that a position for which the agencies have directly recommended the candidate, and which he has accepted, was previously applied for by him, and that the authorities had virtually decided on him prior to the recommendation of the agencies, no commission will be due the agencies, provided the candidate furnish the agencies such evidence of these facts as it requires. Otherwise the usual commission is due.

The registration fee is paid to cover expense of preliminary work of registering and becoming acquainted with qualifications of the candidate and is not a part of the commission, and nothing in circulars of the agencies shall be interpreted as a guarantee or assurance of a position. The agencies acts simply as an introducing medium to send the teacher notices of such openings as it may learn of directly or indirectly, which are suitable to the candidate, and to recommend him for such positions as in its judgment seems expedient and advisable.

Mail this to Rev. L. D. Bass, D. D., mgr., Union Teachers' Agencies, Washington, D. C.

54 Witness further testified that she had principal charge of answering letters of teachers and sending them the recommendations and notification of vacancies while with Dr. Bass; that she attended to her duties the best she knew how, and, so far as she knew, defendant attended to his. His entire time was devoted to said business after he had resigned his pastorate at Salsburg; that she sent the recommendations and notices of vacancies, according to the terms of the contract of registration, to the teachers who registered with the agency on every occasion, so far as it was in her power acting as its secretary; that a great number of detached coupons, signed by teachers, acknowledging that vacancies had been referred to them, was returned to the agency, signed by the teachers, a copy whereof was then offered in evidence, and is as follows and is the same as the coupon hereinbefore attached to "Exhibit A."

Witness further testified that she obtained her present position through the Union Teachers' Agency. She saw correspondence with teachers on the subject of positions; that she acted as Mr. Bass' secretary for both the Teachers' Agency and the Civil Service Bureau; that Dr. Bass' assistants, in connection with the Bureau of Civil Service, were his wife, Mrs. Bass, Miss Owen, Miss Cleveland, Miss Rawlins; that there were lesson questions sent out to persons who registered with the Civil Service Bureau; the questions were to be answered and sent back to Dr. Bass for examination; that she did not have much to do with that part of the work.

She further said she remembered that Dr. Bass and Mr. Court F. Wood, who had a civil-service school, had some business arrangements shortly after Dr. Bass organized the bureau, to the effect that the correspondence and actual instruction of the pupils were to be conducted by Mr. Wood.

Witness further testified that several vacancies were sent to each teacher who registered, and, on application, others were sent; that the agency had no information as to the qualifications of teachers except what the applicant furnished themselves. The agency based

its recommendations upon the information contained in the registration blanks and the testimonials which the registering teacher sent to the agency. Some of the applicants also sent their photographs; that recommendations were sent to schools only when asked for by applicants.

On redirect examination the witness further testified that she sent vacancies to all who registered while she was there, and did most of the work in sending out the notices of vacancies; Dr. Bass assisted her at times in this work; that there were quite a number of requests and registrations every day, and she tried to send out the notices of vacancies as fast as the requests and registrations came in; that she depended upon the teachers who applied for information as to whether any of the vacancies referred to them were filled by them; that the teachers would write back as soon as they applied to let the agency know whether the vacancy had been filled; that Miss Owen and Miss Cleveland were with Dr. Bass at different times. They did typewriting most of the time. She did some typewriting also; that Dr. Bass wrote the letters recommending teachers to schools wherever the teachers asked him to do so; that the particular work of writing letters of recommendation was in Dr. Bass's care; that she copied such letters of recommendation on the typewriter.

NANNIE H. PRICE, a witness called on behalf of the Government, testified substantially as follows:

That she was employed in the Government Printing Office; that she had worked for Dr. Bass for about 11 days in 1898 or '99; that defendant then lived at 3422 Center street, and had his office therein; that she was employed as a clerk and did mimeographing; that defendant was carrying on the Bureau of Civil Service Instruction and the Teachers' Agency; that large quantities of mail were sent out and received.

The witness here identified the different kinds of literature she sent out.

That mail was brought from the post-office three or four times a day; it contained registered letters, pictures, applications for positions, and money orders.

That she never took a course of civil-service instructions from Dr. Bass, but had taken the United States Civil Service examination the year before she was in his employ, and from this examination she finally got an appointment.

Here the district attorney showed the witness a circular which she said she had not seen till she came to the trial. The district attorney then read the statement from the circular:

"Miss Nannie Price has been teaching at Frederick, Md., for less than \$250. She began with us Nov. 4th, and two weeks ago received an appointment under the civil service. She began yesterday at work in the Government Printing Office at a salary of \$950."

Witness, continuing, said she took no civil-service course with

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The witness here identified the different kinds of literature she sent out.

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"Miss Nannie Price has been teaching at Frederick, Md., for less than \$250. She began with us Nov. 4th, and two weeks ago received an appointment under the civil service. She began yesterday at work in the Government Printing Office at a salary of \$950."

Witness, continuing, said she took no civil-service course with

Dr. Bass and was not appointed through his aid or through the Bureau of Civil Service Instructions. When she went to the Government Printing Office she went on piece-work and got 40c. the first day; Dr. Bass did not, to her knowledge, aid her in any way to get an appointment, and she knew of no corps of professors being employed while she was there; she knew of no other office, and he used the dining-room of his house as his office while she was employed by him.

On cross-examination she testified that she answered Dr. Bass' advertisement for a clerk, and in this way became acquainted with him; that she worked for him two days; that was in 1899, in the summer after she had taken the civil-service examination; that she left Dr. Bass' house and went to the Government Printing Office Nov. 15, 1899; that the letter Mr. Taylor read from was true when it said she went to work for Dr. Bass on Nov. 4th; that it was also true where it said she went to work in the Government Printing Office two weeks afterwards; she further testified that she was called upon by the Civil Service Commission for some special reference; that she gave the letter from the commission to Dr. Bass, and that she filed the letter in which Dr. Bass endorsed her with the department, and was soon thereafter appointed to her position to said Government Printing Office; she testified on redirect examination that the literature was identified more by the color than by the contents thereof; that she knew nothing about its contents, except that she recognized the head-lines as the same, and being "Bureau

of Civil Service Instruction and Union Teachers' Agencies" 58 head-lines; that Dr. Bass was engaged in preparing pupils

for the Census examinations while she was there; that part of her work was to correct examination papers for the Census examination and to return them to such pupils; that to the best of her ability she did this work well and accurately and returned the corrected papers promptly.

LOUISE GRIFFITH, a witness called on behalf of the Government, testified substantially as follows: That she was employed by the defendant in Nov., 1899, at 3422 Center street, and went there on the 12th, but did not know when she left; that Dr. Bass and family, Miss Rutledge, and a servant lived there; that witness was employed to do clerical work. This was her first experience, and she did nothing but fold and send out circulars; that the mail came addressed to Dr. Bass, Union Teachers' Agency and Bureau of Civil Service Instructions. It was received twice a day, and circulars and literature were sent out in the mail in large quantities, and mail was received in large quantities. There were postal orders, checks, and money in the mail received and opened, which Dr. Bass took possession of. Defendant's children sometimes went for the mail, also the witness, when Dr. Bass was absent. When there the Dr. went for it himself. It was received at a P. O. station in Mt. Pleasant; that Mrs. Bass opened the mail when Dr. Bass was absent.

Here the witness was shown a letter which she identified as a

letter she copied and sent out and which was copied by the hundreds and sent out to colleges; whereupon the Government
59 closed examination-in-chief, and on cross-examination she

testified as follows: That she left Dr. Bass because he did not need her any longer and was bringing back Miss Rawlins to help him; that witness' duties were to copy a letter addressed to colleges and professors all over the United States and to fold literature and send out with the letter; that she copied with the mimeograph the letter with the names of Miss Price and Mr. Perry in it; the witness identified other literature, including registration blanks.

Witness further testified that the Union Teachers' Agency blank for information was sent out by Mrs. Bass while witness was there; that she knew nothing about the Bureau of Civil Service Instruction, except that she folded and sent out literature with its name on it; that she knew that circulars were addressed and mailed to people; that she remembered receiving a letter—it looked like a boy's—and remarked to Dr. Bass, "There is no use fooling with this boy, he is not worth two cents," & the Dr. replied, "His money is as good as any one else's;" that she did not remember the boy's name or where he lived; she further testified that Dr. Bass' business was a fair and square thing; that she stayed with defendant till Dec. 25; that when she left there she thought it was straight; after she left she found it was not. She did not know of any position defendant ever got for any one except that he told her he got one, and she heard he did not get that one.

Upon redirect examination the U. S. attorney asked the witness the following question:

"Do you know anything about any large quantity of mail that was carried down to South Carolina or down to the hotel to be mailed to South Carolina?"

60 To which counsel for defendant objected on the ground that it was leading and not proper on redirect examination. The objection being overruled, an exception was noted.

Witness thereupon answered that when Dr. Bass went South he and witness took packages of literature, ready to be stamped, to have same mailed at his mother's post-office. The literature was packed into shoe boxes and carried by defendant and herself to Metropolitan hotel, where it was left. Witness said that some of the family told her that defendant was taking the mail with him to help his mother's post-office. She did not know whether she was told this in defendant's presence or not.

Counsel for defendant then moved to strike out that part of the testimony about the mailing of the letters in South Carolina on the ground that such mailing violates no law unless shown to be in furtherance of the fraudulent scheme, as alleged in the indictment; also upon the ground that if such literature was mailed in S. C. in violation of law such mailing would be distinct offence, on which defendant should be tried in S. C. and not in the District of Colum-

bia; and, further, if such mailing be an offence, there is no allegation in the indictment to make such evidence admissible; and, further, moved to strike out so much of the testimony of the witness as refers to declarations made by some members of the family on the ground that it is hearsay and incompetent.

By the COURT: The statute provides in these cases that the court, when it comes to pronounce sentence, if conviction is had, the punishment is to be based somewhat upon the extent of the abuse of the post-office. This tends to show the amount of mail

61 matter that is prohibited by the statute that he mailed. To that extent I think it is material, and motion is overruled, and counsel for defendant thereupon noted an exception.

FRANK E. LITTLE, a witness called on behalf of the Government, testified substantially as follows: That he was a post-office inspector, and had received papers, magazines, etc., containing advertisements of the Bureau of Civil Service Instruction, the Union Teachers' Agency of America, and the Paris Tourist Exposition Company.

These papers, etc., the district attorney said he would not offer till counsel for defense had an opportunity to examine them. The witness then identified a large bundle of papers as circulars containing said advertisements; that he knew Dr. Bass and had had a conversation with him in respect to the literature of said concerns, at the Post-office Dept., about Feb. 1, 1900, which literature witness identified.

At this point it appeared in answer to certain questions asked the witness by defendant's counsel:

That the conversation referred to occurred at the assistant attorney general's office in the Post-office Dept.; that the assistant attorney general, Messrs. Leckie and Fulton, a stenographer, the witness, and two or three other persons were present; that it was at a hearing on the question whether a fraud order should be issued by the Post office Dept. against defendant; that the statement made by Dr. Bass was taken by a stenographer in the course of the hearing and portions of it were written out.

Counsel for defendant thereupon objected to the witness testifying about said conversation between himself and defendant,
62 on the ground that it must be made to appear affirmatively by the Government that defendant said statement was voluntary, that it had appeared that the defendant gave the statement in connection with another proceeding against him, and that, as the statement was taken down stenographically, the whole and not an isolated part should be produced. The court overruled the objection, and an exception was noted by counsel for defendant.

The witness further testified that he had gathered & culled out from the mass of correspondence which he received from various parts of the country, from different people, a sample of each circular, pamphlet, each hectograph and mimeograph letter, which covers every letter we have in this case; also this supplement, this Trade

Journal's editorial, the Paris Tourist, these registration blanks, this matter headed "Bureau of Civil Service Instruction," circulars relating to the enrollment of the Bureau of Civil Service Instruction, the notification with coupon attached to it, these little circulars headed "Bureau of Civil Service Instruction," this Nannie Price letter, "Facts speak for themselves;" also witness identified two certain letters addressed to John Copeland, Copeland, S. C., and witness said he had presented all these to defendant at the same time and defendant admitted he had prepared them, and also admitted it was the kind he had sent out through the mails; that while his letter-heads, envelopes, circulars, and printed matter sent out through the U. S. mails represented that he had branches of the Union Teachers' Agency of America at Pittsburg, Pa., Toronto, Canada, New Orleans, La., New York, N. Y., San Francisco, Cal., Chicago, Ill., St. Louis, Mo., and Denver, Colo., no such
63 branches actually existed; that each branch was represented by a book on his desk, and that a payment of \$3.00 as registration fee entitled the applicant to have his or her name entered in all the books, while on a payment of \$2.00 the name was only entered in the book representing the branch nearest the home of applicant. Defendant also admitted that he was sole owner and promoter of both of the schemes.

Whereupon the U. S. dist. att'y offered all of said literature, letters, pamphlet, etc., referred to and identified by the witness as aforesaid, in evidence; to which offer counsel for defendant objected upon the grounds that a large quantity of the matter which the witness testified he had gathered from different parties throughout the U. S. was in nowise set out in connection with or referred to in the indictments against the defendant; and, further, that there was no proper evidence before the court showing that the defendant sent through the mails such quantities of the matter now offered, and that upon the further ground that the matter now offered has no connection with or constitutes any part of the offenses alleged in the indictment against defendant; that if said matter was sent through the mail by defendant, and such sending was unlawful under the statute, such sending constitutes a separate, distinct, and substantive offense, other than the particular offense or offenses charged in said indictments.

But the court overruled said objections; to which an exception was noted, and the said literature was thereupon admitted in evidence and read to the jury.

And the said matter, so offered and read in evidence, is hereinbelow given and marked Government's Exhibit "B." So
64 much of said exhibit as refers to the Union Teachers' Agency, in order to distinguish it from that portion which refers to the Bureau of Civil Service Instruction, is marked "B 1," "B 2," "B 3," etc.

So much of said Exhibit "B" as refers to the Bureau of Civil Service Instruction immediately follows that which refers to the said Teachers' Agency, and is marked "Ba," "Bb," "Bc," etc.

Memorandum.

For Exhibit "B 1," see Exhibit "A. H. G. No. 1," page 53.

Union Teachers' Agencies of America, Pittsburg, Pa.; Toronto, Can.; New Orleans, La.; New York, N. Y.; San Francisco, Cal.; Washington, D. C.; Chicago, Ill.; St. Louis, Mo.; Denver, Colo.

Do you know of a vacancy?

It may be that you know of a vacancy that you do not care to apply for. It may be too high for you or it may be too low. No matter what kind it is, we have someone that will be willing to try for it. We will pay you 20 per cent. of the commission we receive for each vacancy first reported to us on one of these blanks in case we fill the vacancy. Write for a number of these blanks and keep a supply of them on hand. By a little effort you can largely supplement your income. Please do not send notice of the same vacancy to any other agency.

Notification of Vacancy.

P. O.: ____.

County: ____.

State: ____.

Position vacant: ____.

Number of months: ____.

Salary by month: ____.

If no stated salary the school will pay about: ____.

Term begins: ____.

Religion required of teacher, if any: ____.

Lady or gentleman: ____.

Is there a special examination: ____.

Apply to whom: ____.

Your name: ____.

Address: ____.

Date: ____.

Fill the blank out very carefully and mail to Union Teachers' Agencies, Saltsburg, Pa.

Union Teachers' Agencies of America, Pittsburg, Pa.; Toronto, Can.; New Orleans, La.; New York, N. Y.; San Francisco, Cal.; Washington, D. C.; Chicago, Ill.; St. Louis, Mo.; Denver, Colo.

DEAR ____: Please apply for the enclosed list of positions. These are all good places and have just been vacated by resignation or

death, etc. These positions are along your line of work and we will write to them. In each case address president board of education. Have your testimonials printed and enclose a copy of them with your letter of application. Apply to every place sent to you, for it is hard to tell at which place you will be successful. When you hear that they are considering your application or have filed it for consideration, then make special effort and let us know and we will do our best for you. There is much competition and we must push our cause.

Our little pamphlet on "How to apply" has been exhausted and we are now revising it. The following is a summary of directions it contains:

1. In applying for these positions of which we notify you, you should send each several of your best testimonials. We do not send these.

2. Testimonials should be copied with care and neatness.

3. A photograph is necessary in most applications.

4. It is not sufficient to head your letter with a place to have your address changed on our books. You must write specifically ordering the change made.

5. We write off a list of positions in sending notices to save time and secure accuracy, and do not send you a dead list of positions.

6. When we send a notice we do so because we think, from our knowledge of the school and teacher, that it will be a suitable position.

7. Facts further than what we send must be had from the schools, because, as a rule, we have only a general knowledge of them.

8. Do not depend on securing any one place, and thus lose your chance of another.

9. Do not fail to write to us at once if the outlook is promising in any place.

10. After hearing from the position, write us fully of it, your wishes in regard to it, etc., that we may assist you in any way we may be able.

11. In your correspondence with a position make no reference to the association.

12. Use the greatest care in your letter of application.

13. Typewritten copies of testimonials are the best. Next to these are printed copies. As a rule such work can be done cheaper in smaller places than in the city. If any teacher lives in a place where he or she cannot get the work done well we can have it done in Saltsburg for \$2.00 per 300 words, making 200 copies. A less number of words will cost the same price. Every additional 100 words will cost 50 cents.

14. File a complete application after the first of April whether you have heard from the authorities or not.

15. Do not ask boards questions until you have first convinced them that you are the one for the place. They will rarely pay any attention to such letters.

16. If boards write, "There are hosts of applicants, and we can

give you no encouragement," let this be the very place you try hardest for, because it will be more of a victory to win in such a contest. Then, too, you need never expect to find any place where there is not strong competition.

17. If possible make personal application when there is any prospect of success. This for the better places is almost necessary.

18. If you do not hear from the authorities, or if they reply discouragingly, do not let this deter you from filing a full application and pushing it.

19. Apply immediately.

20. Let us hear from you just as soon as you get a position.

Yours truly,

L. D. BASS, *Manager.*

Saltsburg, Pa.

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"B 4."

Supplement.

Rev. L. D. Bass, A. M., Th. G., D. D.

Dr. Bass comes of a long line of illustrious ancestors, and is a man cast in a heroic mould. The Doctor pursued his studies at Patrick military academy, Farman university, the Southern Baptist theological seminary, and the University of Chicago, receiving from these institutions the degrees of A. M. and Th. G., and from the University of Alabama the degree D. D. He married Miss Alice Rutledge, of South Carolina. The name of Rutledge is so intimately associated with all the history of South Carolina and the United States as to be familiar to every schoolboy. One of the Rutledges was Chief Justice of the United States under Washington, one U. S. Senator, one governor of South Carolina, and one Congressman. Abraham Lincoln's first sweetheart was Miss Annie Rutledge. She died a few years after their engagement, but Lincoln always cherished her memory. Dr. Bass seems to possess in the highest degree the magnetic power of winning the affections of all who come in contact with him. His life is marked by those traits of character which inevitably win the warm regard and most tender love of men. Possessing a strong mind, a wise head, integrity of purpose, and catholic sympathies, he is a statesman by nature. He is endowed with a fine presence, an eye of beauty, and a magnificent voice, and his speeches, as well as his pulpit services, attract large audiences. His style is chaste, simple, suited to the subject, and remarkable for its purity. For his earnestness, spirit of humanity, and noble simplicity of character, as well as for his superior abilities, he is held in high esteem by those who know him. His sermons, lectures, and essays which have been published show the superior literary advantages enjoyed by him, as well as the advantages of travel.

FLORENCE, S. C., August 18, 1894.

As Dr. L. D. Bass has been urged by such a large number of citizens to enter the race for the State senate, we publish some extracts

from letters now on file with the Secretary of State, at Washington, D. C. The letters are from distinguished men from all parts of the country, and speak in highest terms of the Doctor. Now that his lamented and honored father is not here to represent us, as he did in the most trying times in our history, why should not his son do so. We hope he will not persist in refusing to allow his name used.

From Vice-President A. E. Stevenson.

DEAR SIR: This will introduce Rev. Dr. L. D. Bass. * * * He is a gentleman of high character, and one of the leading educators of his State. I will fully appreciate any courtesy you may show him.

Yours very truly, A. E. STEVENSON.

From Northwestern business and literary college.

FARGO, N. D., May 31, 1893.

Hon. Grover Cleveland, President United States; Hon. Walter Q. Gresham, Secretary of State.

THEIR EXCELLENCE: I have heard that L. D. Bass, D. D., of South Carolina, is seeking a consulate. Having been intimately acquainted with the gentleman, first, as pastor First Baptist church, Huntsville, Ala., and second, as president of the Southern Female University of Alabama, in which I then held a place in his faculty, I can truly say that he is a man with a great mind, sound judgment, sterling qualities and undying energy. I am convinced that he is a man who, if favored with the position, would fill it with credit to himself and honor to his nation. Should you see fit to give him the appointment, his many friends, both North and South, will be greatly pleased.

Yours most respectfully, M. F. KNOX, *President.*

From General M. C. Butler, U. S. Senator.

To the Hon. Walter Q. Gresham, Secretary of State:

Rev. L. D. Bass, D. D., of South Carolina, formerly president of the Southern Female University of Alabama, is an applicant for the position of consul general to Berlin, Germany. I cheerfully recommend him as a young gentleman of the highest standing in point of ability and character, and I am confident if he should be appointed to the position he seeks, he would reflect much credit upon the section from which he comes, and that his services would reflect credit upon our whole Government.

M. C. BUTLER.

From General Wade Hampton.

I concur in what is said by Senator Butler.

WADE HAMPTON.

From U. S. Senator Pasco.

WASHINGTON, D. C., Jan. 21, 1893.

I take pleasure in stating that Rev. L. D. Bass, D. D., is a Baptist minister of high standing and character, and that he is well and favorably known and highly respected in our southern section of country. * * *

S. PASCO, U. S. S.

From Rev. J. H. Dudley, Ph. D., D. D., editor and preacher.

SOUTH AMBOY, N. J., Aug. 11, 1893.

His Excellency Grover Cleveland, Pres. U. S.

DEAR SIR: I have recently learned that Dr. L. D. Bass, of South Carolina, is an applicant for the consulate to Berlin, Germany. The satisfaction which this bit of news gives me will be most pleasantly justified should Dr. Bass, whom I have had the honor of personally knowing a number of years, and whom I regard as eminently fitted for the position, secure the appointment. I am but an humble Baptist pastor, but, through a professional occupation with our denominational newspapers, have had a large acquaintance with brother ministers, and I can say that the awarding of this position of trust to my friend, Dr. Bass, will give much pleasure to other northern friends besides myself.

With great esteem, I am, Mr. President, yours truly,
J. H. DUDLEY.

From Pres. S. D. Jones, of the Southwest Virginia institute.

Hon. Walter Q. Gresham, Secretary of State.

DEAR SIR: I write to commend to you Rev. Dr. L. D. Bass, who is an applicant for a consulate. Mr. Bass is a bright man, and I think could properly represent our Government.

S. D. JONES, Pres.

From Hon. Henry Watson, State senator of Mich.

Dr. L. D. Bass is one of God's noblemen, a true Christian gentleman, and a man loved by all who know him, and we can cheerfully recommend him.

HENRY WATSON.

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Alabama's endorsement.

His Excellency Grover Cleveland:

We, the undersigned, members of Congress from Alabama, respectfully recommend Rev. L. D. Bass, D. D., who, in our judgment, possesses the necessary qualifications for the position of consul general to Berlin. Dr. Bass is a prominent educator, and possesses educational and business qualifications of a high order. The social

position which he and his wife enjoy would make him a very desirable representative of our Government.

J. F. STALLINGS.
T. H. BANKHEAD.
J. E. COBB.
JOE WHEELER.

I have but a limited personal acquaintance with Dr. Bass, but I join with the foregoing endorsement.

WM. C. OATES,
Gov. of Alabama.

From Alabama Military Academy faculty.

We are personally acquainted with Dr. L. D. Bass, and know him to be a man of power, piety and wisdom. Any favors shown him will be appreciated most highly by the best people of our city.

J. B. LITTLE, *Supt.*
FREDERICK TERRILL,
Commandant.
C. WAYLAND LISK,
Prof. Greek & Latin.
M. J. WINCHESTER,
Prof. Mathematics.
W. M. ADAMS, *Prof. English.*
R. M. FLETCHER,
Prof. of the Sciences.

From Col. John Buckner Little, formerly professor in the State University of Alabama and author of Little's History.

Dr. L. D. Bass is a man of thoroughly reliable character and of excellent good sense, and his statements may be relied upon implicitly.

Executive department, office of comptroller general.

COLUMBIA, S. C., June 27, '93.

His Excellency Grover Cleveland, President United States.

DEAR SIR: It affords me great pleasure to be able to bear cheerful testimony to the high character and excellent qualifications of the Rev. L. D. Bass, D. D., an applicant for the position of consul general to Berlin. Dr. Bass has been known to the writer from his boyhood, and his reputation for industry, sobriety and high religious and mental qualifications is unimpeachable. Dr. Bass comes of one of the oldest and most honored families of eastern South Carolina and whatever interest of the Government of the United States may be committed to his care and management will be in safe, competent and honorable hands and will be administered to the credit of Mr.

Bass, the satisfaction of the President and the best interest of the American people.

Respectfully,

JAMES NORTON.

From State Senator Williams.

DALE CITY, S. C., *April*, 1893.

Rev. Dr. L. D. Bass is an applicant for the position of consul general to Berlin. He is a native of South Carolina, and it would give great satisfaction to his many friends, who know his worth and merit, to see him get the position.

A. H. WILLIAMS.

From C. M. Covington, president Florence Loan and Investment Co.

FLORENCE, S. C., *April 15*, 1893.

I have known Rev. Dr. L. D. Bass since a boy, and he has an untold number of friends and relatives in this section, a large family influence on both his mother's and father's family and also a large family connection on his wife's side. He married in that old and honored name, the Rutledge family of South Carolina. He has many friends and relatives among the reformer's of this State as well as the straight-outs.

C. M. COVINGTON.

Office of Rollins & Hemmingway.

ROME, S. C., *April*, 1893.

Hon. M. C. Butler, U. S. Senate.

DEAR SIR: I beg leave to write you in behalf of Rev. L. D. Bass, D. D., from this State, who is seeking the consulate to Berlin. You will find Mr. Bass a very bright man, and qualified for the position. He has an unlimited number of friends in this section of the State, and rest assured that any efforts on your part in his behalf will be highly appreciated by his many friends. I have the honor to be,

Yours very respectfully,

W. C. ROLLINS.

From the bankers.

MANNING, S. C., *April*, 1893.

* * * I write to certify that Dr. Bass was formerly a resident of this town, and that in all his financial dealings here, so far as I personally know, and from inquiring from our merchants, he was prompt and honorable. He left our town free from debt. * * * I can heartily recommend him for the position he is seeking, feeling sure that he will fill the position of consul general to Berlin with credit to himself and his country.

A. LEVI,
Pres. of the Bank of Manning.

TIMMONSVILLE, S. C., Aug. 29, 1893.

I take pleasure in endorsing Rev. L. D. Bass's financial character. I have always found him honest and upright in all our business relations. I can recommend him as a straightforward business man.

JOHN McSWEEN,
Pres. Bank of Timmonsville.

GREENVILLE, MICH., Aug. 26, '93.

A few years since Rev. L. D. Bass was located here as minister of the First Baptist church, and I thought him a worthy gentleman and when he left here, I understand he arranged all his financial business in a satisfactory manner to the business men who did business with him.

C. JESSIE CHURCH,
Pres. Greenville Bank.

GEORGETOWN, S. C., April 18, 1893.

Hon. M. C. Butler, U. S. S.

DEAR SIR: * * * It gives me pleasure to endorse and testify to the worth, character and capacity of Dr. L. D. Bass and should he receive the appointment, he would reflect credit both upon himself and the country he represents. Having known him from childhood, I have watched his career with pride, and without hesitation add my tribute to the integrity and fitness and dignity of one of Carolina's sons.

Truly and sincerely,

M. MANHIEM.

From Hon. J. S. Du Bose.

I take great pleasure in saying that I have known Rev. L. D. Bass, D. D., for a good many years and I regard him as a good, true and honorable man, who would fill any position he might apply for with credit and honor to himself and to the United States.

REV. J. S. DU BOSE,
Member House of Representatives.

From Col. John Burgess, of Alabama, preacher and educator.

I have been in the pulpit with Rev. Dr. L. D. Bass, and also have been associated with him in educational work. He is an eloquent speaker, and a man of the most liberal culture. His home life is beautiful, and his character pure, for those who know him best love him most. No one can be thrown often with him without catching some of his indomitable energy, and being made better and strengthened for the conflicts of life thereby. The careful examination I have been able to give Dr. Bass convinces me of his very high and exceptional merit. He seems fully to deserve the approbation given him.

R. J. BURGESS, *Principal.*

Professional department, Union Teachers' Agencies of America,
Rev. L. D. Bass, D. D., manager, Washington, D. C.

This department is devoted to lawyers, doctors, dentists, teachers and professional men in general who are seeking locations, partnerships, openings or opportunities to begin their life work. We especially cater to young professional men who have only limited means with which to enter upon their favorite or adopted profession, and to persons who have had some experience with the vicissitudes of fortune after battling for several years with indifferent success.

The colleges and professional schools of the United States annually graduate an average of 72,921 students. Of this vast number only a limited few are ever heard of as having "made their marks." Why? Possibly they began their professional careers at the wrong places, with the wrong parties and under other unfavorable conditions, and until they are through experimenting with locations, partners, etc., the prime of life has passed. "Be sure you are right and then go ahead" should be the motto of every business and professional man whenever he makes a venture of any kind.

Our business is to assist you in getting "right," and this is how we do it: If you wish to know of good locations for opening an office, we can point them out to you. If you desire a partner in business, we can refer you to the right party. If you wish to become a partner in business, we can refer you to parties desiring partners—because of age, overwork, etc. If you wish to buy a practice or business, we can refer you to persons who desire to sell. If you merely wish an apprenticeship or clerkship in an office, we may be able to assist you. If you are an established practitioner and desire to sell, we can send you buyers—young men with energy and money.

Our information is collected and reported by our correspondents located in every State and county in the Union, and is issued daily in typewritten reports that contain all obtainable data that would be useful to our clients. These reports are furnished to professional and business men at the same rate as positions are secured for teachers. In this department we use the teachers' registration blank. No commission is charged after securing the place.

In ordering, always state your selection of territory, exactly what you want and enclose a money order or draft to the amount of \$3.00.

An Important and Valuable Institution.

A great city is naturally the home of many peculiar enterprises, some having personal aggrandizement in view, some being purely selfish, while others are organized and conducted for the general good; in a word, having for an object "the greatest good for the

greatest number." In this last catalogue we may safely place the Union Teachers' Agencies of America, of which Rev. L. D. Bass, D. D., is the manager at Saltsburg, Pa., with branches at Pittsburg, Pa.; Toronto, Canada; New Orleans, La.; New York, N. Y.; Washington, D. C.; San Francisco, Cal.; Chicago, Ill.; St. Louis, Mo., and Denver, Colo.

The object of the Union Teachers' Agencies, briefly stated, is to secure positions in all parts of the country for teachers desiring employment, and has the proud record of having filled thousands of positions. The agencies is the agent of its patrons only, and spares no effort to get the best and most reliable information possible for the benefit of those entrusting their commissions to its charge. The management claims to be able to save patrons money and lots of trouble for a very small compensation, and our investigation of the agencies convinces us it does all and more than it claims.

That the Union Teachers' Agencies is admirably equipped to do this is evidenced by the fact that since it has been in operation not a word of complaint has been made from any quarter, while thousands have been served in a perfectly satisfactory manner. As to the standing and responsibility of the Union Teachers' Agencies,

which, as was said before, is unassailable, it is sufficient to
72 say no institution stands higher, as will be readily attested
by leading citizens of the Union. In addition, the Western Trade Journal has made an investigation of this agency on its own behalf, in order to answer a number of inquiries which it has received regarding the same, and takes pleasure in adding its voice to the general verdict that it is the culmination of what has long been needed in the direction the agency has assumed, and the management is worthy of all confidence, and the enterprise one of the most sterling character.

NOTE.—The above article was taken from the editorials of the Western Trade Journal, of Chicago, Ill., under date of September 14, 1897. This great weekly review of the industrial, inventive, mining, and financial resources of the United States keeps an eye open to everything good, and in its comment on the Teachers' Agencies of America places Union Teachers' Agencies in the front rank, as will be seen by its very complimentary editorial.

Such an editorial from a trade journal which has been established since 1872 should be sufficient evidence to assure teachers of the reliability of Union Teachers' Agencies.

The Paris Exposition Tourist and Excursion Company.

High-class excursions under superior conductorship.

"Vacation party" for preachers and teachers arranged for June, July, and August, 1900.

Select parties. First-class travel. Best hotels.

In order to secure cheap rates in advance, write immediately to Paris Exposition Tourist and Excursion Company, Rev. L. D. Bass, D. D., pres., Pittsburg, Penna.; Diamond National Bank depository, capital \$500,000, surplus \$500,000.

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"B 7."

Office of Rev. L. D. Bass, D. D., business manager.

Union Teachers' Agencies of America.

SALTSBURG, PA., — — —, 189—.

DEAR FRIEND: We are persuaded to discontinue the compilation of testimonials. We have hundreds of letters and could fill a large volume with testimonials from leading teachers, but we prefer that applicants should make inquiry concerning us. Most of the leading educational men in the U. S. are acquainted with our work. To give some idea of what we have done since May, we append the following certificate from representative persons, and this shows only about half of our actual work. Many teachers try to defraud us of our commission by not notifying us when they accept a position. We seldom fail to find them, yet it delays our work and causes us much trouble. I think you will find that no other agency in the country can produce such facts. We are willing to let the facts speak, for we believe teachers should know the character of work done by agencies.

L. D. BASS, *Mgr.*

Certificate from Col. Doughty.

This is to certify that I have seen and counted (3,957) three thousand nine hundred & fifty-seven receipts from teachers, wherein
they acknowledged having been recommended to their posi-
74 tions by said Union Teachers' Agencies. The receipts are
from May 1st, 1898, to August 30th, 1898, (4 months).

R. C. DOUGHTY,
Supt. 1st Baptist Sunday School.

STATE OF PENN., } ss:
Indiana Co., }

Personally came before me, a justice of the peace in and for the said county, M. W. Daniel, who, being duly sworn, saith that the fore-

going statement is true, correct, and that the said M. W. Daniel is sec. of Union Teachers' Agencies of America.

M. W. DANIEL,
Sec. *Union Teachers' Agencies.*

Sworn to and subscribed this 7th day of September, 1898,
before me—

[SEAL.]

W. G. McCONNELL,
Justice of the Peace.

75

"B 7."

Office of Rev. L. D. Bass, D. D., business manager.

Union Teachers' Agencies of America.

WASHINGTON, D. C., 1 July 21, 1899.

DEAR PROF. FELL: Your esteemed favor received this morning. Please find enclosed our registration blank, which gives all needed information, and should you not use it, do us the kindness to hand it to some one who may desire a position.

We have exhausted our manual and take the liberty of enclosing an old newspaper supplement, which may answer as an endorsement in the absence of our manual testimonials, and give some idea of our standing and responsibility. Our work is an endorsement of what we can and do accomplish for our teachers. We have at this time over 3,000 positions to be filled soon. They cover every conceivable combination of subjects required to be taught in public, private, preparatory, parochial, normal, graded schools, colleges, universities and homes.

The majority of our registered teachers are now located. This reduces the list of available candidates to a very small number. Hence for the balance of the season year *we guarantee to personally recommend* to three or more positions each one who registers. If on receiving your application, we find we cannot conscientiously recommend

— we will immediately return the registration fee of \$3.00.

76 The large number of vacant positions we have and the many calls we get from employers, makes it possible for us to offer this guarantee, I think you will find we are the only agency that will guarantee to recommend you or return the fee.

If within 20 days we cannot locate you, then we agree to enroll you for two years, and during that time to recommend you to any suitable vacancies we have. Surely in that time we can place you.

As the season is advancing, and much may be lost by delay, I would, therefore, advise you to register at once.

Yours truly,

L. D. BASS.

77

“B 8.”

Union Teachers' Agencies of America.

SALTSBURG, PA., — —, 189—.

Please find enclosed our registration blank which gives all needed information. We have exhausted our manual, and I take the liberty of enclosing an old newspaper supplement which may answer as an endorsement in the absence of our manual testimonials. Our work is not local but covers all of the U. S. and Canada, is not confined to any one grade but takes in all departments of school and college work. We handled over 8,000 vacancies last year, and shall probably have ten thousand this year. We have at this time 2,500 positions to be filled soon. Many of these vacancies were caused by the male teachers enlisting for the Cuban war. In one State alone, we have over 300 calls to fill positions made vacant by resignation to join the army.

Most of our registered teachers are now located. This reduces the list of available candidates to a very small number. Hence we guarantee to personally recommend to three or more positions each one who registers. If on receiving your application we find we cannot conscientiously recommend you we will at once return the three dollars registration. The large number of vacancies we have and the many calls we get for teachers makes it impossible for us to offer this guarantee.

I think you will find we are the only agency which will guarantee to recommend you or return the fee. We are sure we can be 78 of assistance to you in securing a position if you will register now. We have never before been able to offer this strong guarantee, but please remember that we make this guarantee on account of the many vacancies caused by the Cuban war. Please do not postpone for two months and then try to hold us to this guarantee. Our manager personally and positively makes this guarantee to a limited number and for a limited time. This guarantee is for thirty days from date of this letter. Owing to the fact of our special need of teachers at this time I have written you fully in order that no time be lost. As the season is advancing and much may be lost by delay I would therefore advise you to register at once as the best positions are filled early and before made public.

Yours truly,

L. D. BASS.

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“B 9.”

Union Teachers' Agencies of America.

SALTSBURG, PA., Feb. 25, 1898.

Miss A. McCrary, Boston, Mass.

DEAR MISS McCRARY: Your favor Feb. 22, received.

Please find enclosed our registration blank which gives all needed information. Our work is not local, but covers the United States

and Canada; is not confined to any one grade, but takes in all departments of school and college work.

We handled over 8,000 vacancies last year, and shall probably have more this year, as we have increased our facilities. We have at this time a large number of positions, for next fall, to be filled soon, which makes it necessary that we secure a few teachers immediately.

Most of our registered teachers are now located. This reduces the list of available candidates to a very small number. Hence, we *guarantee to personally recommend* to three or more good positions each one who registers. If on receiving your application we find we cannot conscientiously recommend you we will at once return to you the \$3 registration. The large number of vacancies we have, and the many calls we get from school employers makes it possible for us to offer this guarantee. I think you will find we are the only agency which will guarantee to recommend you or return your fee. I am sure we can be of assistance to you in securing a position if you will register now.

As the season is advancing and much may be lost by
80 delay I would therefore advise you to register at once, for the best positions are filled early and before made public.

Yours truly,

L. D. BASS.

81 "B 10."

Miss Charlotte B. Frost.

Union Teachers' Agencies of America, Rev. L. D. Bass, D. D.,
manager, Washington, D. C.

An endorsement justified.

NOTE.—The following article was taken from the Western Trade Journal of Chicago, Ill., and published in an editorial of that paper August 10, 1898. I certify that the editorial was not asked for, and furthermore I did not have the least idea that such an article was ready for publication until notified by Mr. Alford, the editor, who will bear out this statement.

L. D. BASS, *Manager.*

About a year ago, in answer to several inquiries addressed to the editor of the Western Trade Journal, we published an article endorsing in an unqualified manner the Union Teachers' Agencies of Washington, D. C., and recommended its method of doing business, and the plan on which it guarantees positions to teachers as being the best and most advantageous that had ever come under our observation.

Since that time we have watched the progress and development of the Union Teachers' Agencies very closely, in order to determine whether our endorsement of the same was fully justified by subsequent transactions. Justice to an honorable and worthy enterprise

requires that we should again extend the editorial endorsement of this paper to the agencies, and to say that it has more than fulfilled every promise we made in its behalf and is today entitled to the highest praise and commendation for the straightforward and conscientious manner in which it has carried out all its obligations to those who registered with the Union Teachers' Agencies, and to the public who have been beneficiaries of its efficient instructors to communities needing teachers.

In conclusion, we desire to repeat all that we have said in praise of the Union Teachers' Agencies a year ago, and to add that it is stronger and better able to carry out its obligations than ever before. To those who have written us concerning this association and to all others who may be equally interested, we would say: It is amply able to carry our promises and to fully and literally live up to every agreement. To our mind it offers the best opportunity for securing a good position as teacher that has ever been brought to our notice, and we do not hesitate to bestow on the agencies the strongest words which come to our pen. We unreservedly commend it to every reader as being strong and unassailable, above adverse criticism throughout all its workings. The Union Teachers' Agencies has the hearty, unqualified endorsement of the Western Trade Journal.

A great city is naturally the home of many peculiar enterprises, some having personal aggrandizement in view, some being purely selfish, while others are organized and conducted for the general good; in a word, having for an object "the greatest good for the greatest number." In this last catalogue we may safely place the Union Teachers' Agencies of America, of which Rev. L. D. Bass, D. D., is the manager, at Washington, D. C., with branches at Pittsburgh, Pa.; Toronto, Can.; New Orleans, La.; New York, N. Y.; San Francisco, Cal.; Chicago, Ill.; St. Louis, Mo.; Denver, Col.

The object of the Union Teachers' Agencies, briefly stated, is to secure positions in all parts of the country for teachers desiring employment, and has the proud record of having filled thousands of positions. The agencies is the agent of its patrons only, and spares no effort to get the best and most reliable information possible for the benefit of those entrusting their commissions to its charge. The management claims to be able to save patrons money and lots of trouble for a very small compensation, and our investigation of the agencies convinces us that it does all and even more than it claims.

That the Union Teachers' Agencies is admirably equipped to do this is evidenced by the fact that since it has been in operation not a word of complaint has been made from any quarter, while thousands have been served in a perfectly satisfactory manner. As to the standing and responsibility of the Union Teachers' Agencies, which, as was said before, is unassailable, it is sufficient to say no institution stands higher, as will be readily attested by leading citizens of the Union. In addition, the Educational Journal has made

an investigation of this agency on its own behalf, in order to answer a number of inquiries which it has received regarding the same, and takes pleasure in adding its voice to the general verdict that it is the culmination of what has long been needed in the direction the agency has assumed, and the management is worthy of all confidence, and the enterprise one of the most sterling character.

Possibly no man in the country is today doing more to aid teachers than Dr. Bass. The thorough organization of Union Teachers' Agencies enables them often to push their teachers into positions where there are a dozen or more applicants. If you want a position, as teacher, you will never find a better agency. In these times there is only one way to get a good position, away from your own home and personal friends, and that is through an agency. Every experienced teacher realizes this fact. The only safe way to take advantage of your new surroundings, is to have your name enrolled in one or more good bureaus. Registration in a good

83 agency does not lessen your chance of securing a position

through your own efforts. You will then be ready for appointment, as one of the many who will doubtless be appointed and know of the vacant position, but what is more important you will have an experienced educator of great skill and large influence to press your claim.

Union Teachers' Agencies of America has an established reputation of many years. Their plans, circulars, advertisements, rates, name, etc., etc., have been imitated and copied. It is simply a case of the genuine and the imitation. Only first-class things are imitated! Several of their imitations have ceased to exist, but others have sprung up to take their places. None of them have been in existence more than one or two years and some of the most pretentious only a few months. They tell what they have done in their first circular, and before they have ever located a single teacher. Don't be satisfied with a catalogue in imitation of the Union. Write and find out the genuine!—Investigate is all that Union Teachers' Agencies ask.—*Journal of Education.*

NOTE.—The above article was taken from the editorials of the Journal of Education, under date of Sept. 14th, 1898. The great weekly review of the educational interests of the United States keeps an eye open to everything good, and in its comment on the Teachers' Agencies of America places the Union in the front rank, as will be seen by its very complimentary editorial. Such praise from an educational journal which has been established for all these years should be sufficient evidence to assure teachers of the reliability of Union Teachers' Agencies.

Testimonials are easy to get, but there are different kinds. A testimonial from an irresponsible party is worse than none, for it shows that good testimonials cannot be had. We are persuaded to discontinue the compilation of such. We could fill a large volume from teachers. Testimonials are something given in exchange for some consideration. We give no testimonials from teachers whom

we have served. We use only unsolicited words of commendation from the most eminent men of our country, who are under no obligations to us whatever.

Certificate from Col. Doughty.

This is to certify that I have seen and counted (3,957) three thousand nine hundred and fifty-seven receipts from teachers, wherein they acknowledge having been recommended to their positions by said Union Teachers' Agencies. The receipts are from May 1st, 1898, to Aug. 30th, 1898 (4 months).

R. C. DOUGHTY,
Supt. 1st Baptist Sunday School.

STATE OF PA., }
Indiana Co., } ss:

Personally came before me, a justice of peace in and for said county, M. W. Daniel, who being duly sworn, said the foregoing statement is true and correct, and that the said M. W. Daniel is sec'y of Union Teachers' Agencies of America.

M. W. DANIEL,
Sec. Union Teachers' Agencies, Washington, D. C.

Sworn to and subscribed this 7th day of Sept., 1898, before me,

[SEAL]

M. G. McCONNEL,
Justice of the Peace, Saltsburg, Pa.

84 Teachers registered with us cover a wide field. We have supplied every position in the following list: College presidencies, college professorships, city superintendents, principals and assistants of all kinds in normal schools, high school, grammar school, and primary school principalships, city training schools, manual-training schools, and academy principalships. Positions in public and private schools, to teach art, elocution, music, drawing, manual training, cooking, commercial branches, languages, sciences, higher English, physical culture, kindergarten, etc.

Universities and colleges represented.

Harvard,
Yale,
Princeton,
Amherst,
Bowdoin,
Dartmouth,
Tufts,
Williams,
Brown,
Wesleyan,
Cornell.

Univ. Chicago,
Univ. Illinois,
Univ. Vermont,
Univ. Wisconsin,
Univ. City N. Y.,
Univ. Nashville,
Univ. Michigan,
Univ. Minnesota,
Univ. Virginia,
Univ. Toronto,
Univ. Missouri,

St. Lawrence,	Univ. Maryland,
Hamilton,	Univ. Pennsylvania,
Columbia,	Univ. Indiana,
Hobart,	Cambridge, England,
Colgate,	Oxford, England,
Colby,	Dublin Univ.,
Buchtel,	Heidelberg, Germany,
Bucknell,	Hamburg,
Trinity,	Leipsic,
Boston,	Berlin,
Syracuse,	Gottingen,
Lafayette,	Strasburg,
Palatinate,	Paris,
Haverford,	Johns Hopkins,
Muhlenberg,	Middlebury, Vt.,
Dickenson,	Woodstock, Canada,
Rochester,	Rutgers,
Allegheny,	Washington and Lee,
Ohio Nor. Univ.,	Randolph-Macon,
William and Mary,	Franklin and Marshall,
Trinity, N. C.,	Union,
Ohio Wesleyan,	West Point,
Oberlin,	Annapolis Naval Acad.,
Ohio University,	Mich. Agri. Coll.,
Texas University,	Ross Polytechnic,
Wittenberg,	Pratt Institute,
Univ. West Va.,	Teachers' College,
Alfred Univ.,	Mass. Inst. Tech.,
Elmira,	Worcester Polytechnic,
Packer Coll. Inst.,	Wellesley,
Smith,	Radcliff,
Wooster,	N. Y. Normal College,
Mount Holyoke,	Butler,
Vassar,	Bryn Mawr,
Swarthmore,	University Georgia,
Furman Univ.,	South Carolina Univ.,
	Univ. Alabama, etc., etc.

"It is a fact that not one desirable place in fifty is filled now-a-days except directly or indirectly through the medium of an agency. Nearly all teachers holding responsible positions are enrolled in one or more agencies. An outsider has no chance to learn of vacancies. Before he hears of them, they have been filled by candidates notified by some agency."—*N. Y. Educational Journal.*

When teachers are passing through the city, they should not fail to call at our office. Even if not registered with us, they are cordially invited to come in and make our acquaintance. A year or

two later they may wish to become members of the agency, and a personal acquaintance is very desirable.

Teachers who are registered should make a point to visit us, even if they are compelled to remain an extra day in the city. Our office is very convenient, in the very centre of the city, near the Capitol and Congressional Library, the two most famous buildings in America. To be able to say that we have met you personally is of great assistance in recommending you.

Register early.

The season for the largest number of vacancies is between March and August. Some of the best places are filled early in the season. We are now having calls every day for the September term, and already have vacancies in all departments of school work for the ensuing school year. To get the full benefit of our work for the season, it is better to register now and not wait until a large majority of the best positions are filled. At this season we have a much better opportunity of learning the qualifications and needs of a candidate than during the rushing months of the summer.

Of course we have some positions all through the school year. There are places here and there opening up, from various causes, in every department, so that it is never too late to register. But after the first of September the chances are greatly reduced. If however we should not place one registering early his name will be continued through the busy season of the following summer, and then if we fail, still work for him for two years. It is our purpose as far as possible to locate every one who registers.

Direct calls.

We have received one thousand (1,000) vacancies direct from authorities within a period of thirty days, that is, between the 15th of March and the 15th of April in 1899. In addition to writing personal letters to all authorities, we have employed a special news agency that is in communication with every important center in the country, to give us immediate information of every vacancy occurring by death, resignation and other causes.

The methods of our agency.

1. We have correspondents in all the leading educational centers.
2. Every teacher who joins the association becomes in a measure an agent, and co-operates heartily in the work, and is paid for all work which results successfully.

He not only reports where the teachers are to be needed, but sends us the names of good teachers to whom we can send our circulars.

In this way our agency has become composed of the best qualified teachers in all parts of the United States.

3. Our system of records is such that a teacher registered with

this agency is sure to be considered for every vacancy occurring in his line coming to our knowledge. All letters, papers, photographs, etc., are filed methodically, so as to be at hand for ready reference.

4. Thousands of dollars are spent annually to learn of vacancies and increase the number of our confidential correspondents. During the busy season we receive as high as 500 letters a day and have mailed as many as 5,364 in one day.

Your success is ours.

It is for our interest to fill as many positions as possible. Hence a registration in this agency insures faithful representation. Our system of representation and its results are satisfactory to our patrons with hardly an exception.

Young graduates, without experience, are gladly received as members of the agency and we take especial interest in them
87 providing they possess the following qualifications: high character, good scholarship, good address, good personal appearance, neatness in dress, culture in conversation, good judgment; and have no physical defects and no unpleasant mannerisms, in short, a pure character, a high life purpose and a good personality.

We wish to call especial attention to the very large number of our teachers who keep permanently registered with us, and have secured two, three or several positions through the agency.

Returning the registration fee.

As a rule, teachers who apply to us know their ability and what kind of position they can expect to secure. They know what others with their qualifications and experience are getting, and do not overestimate themselves.

The agency usually accepts the application as made. If consulted as to what a teacher can reasonably expect, we do not hesitate to give our opinion.

If teachers register with us for positions for which they are manifestly not qualified and for which we cannot conscientiously recommend them, we return the registration fee.

Our guarantee.

No agency can guarantee to place a teacher in a position, nor can a small agency guarantee even that it will have such positions as every candidate may wish. But we do think that agencies should guarantee to recommend every candidate to one or more places such as he applies for, or return his fee. The report comes to us that some agencies accept the registration fee and teachers never hear from them afterwards. If a reply is made to the teacher's inquiry, it is to the effect that no suitable vacancy has been received.

This is unjust to the teacher. It is not a question whether an agency is recommending others. It is an agency's duty either to recommend every teacher or to return the fee. Our agency has

sufficient positions every year so that we are enabled to give such a guarantee, and if, during the period of registration, we are not able to recommend a teacher, either for want of places or because we had better candidates, we return his registration fee.

88 We are the only agency that gives such a guarantee.

What teachers want is not simply to be referred to a place, but a personal recommendation.

Some agencies say that they do a "recommending" business, but they make no promise that they will recommend you. They do not even promise that they will have any positions to which they can refer you. All the contract is on the teacher's side, with no promise whatever of assistance on their part. We do not question the good intentions of these agencies, but if the correspondence that comes to our office is any criterion, the practical working of their plan is a sore disappointment to many teachers.

We endeavor to have our circulars fall into the hands of only the best teachers. We also return all fees and applications of those whom we do not consider qualified for the positions they seek. Hence we feel that we can safely and confidently recommend all our teachers, and so are enabled to guarantee a personal recommendation to each who registers. The number and variety of positions we have each year always gives us some places suitable to each candidate.

Facts speak for themselves.

From Apr. 10 to May 31, 1899, I read and counted letters addressed to "Union Teachers' Agencies of America," from one thousand two hundred and sixteen (1,216) teachers, in which each acknowledged to have been recommended by Rev. L. D. Bass, D. D., mgr. of said agencies to from one to three good positions during April and May. Many of these teachers expressed surprise at the prompt and immediate effort of the Union Teachers' Agencies in securing for them a position.

F. M. ROLLINS,
Mgr. Bureau of Civil Service Instruction,
Washington, D. C.

Subscribed and sworn to before me, June 8, 1899.

JOHN R. YOUNG, [SEAL.]
Clerk Supreme Court D. C., Washington, D. C.

Bureau of Civil Service Instruction, Sta. B. Washington, D. C., aids those who want to secure a position in the Civil Service Department. Eighty-five thousand positions filled through the civil service by examinations. The war creates a demand for large increase of employees. Thus the need of such instructions as this institution affords. Hundreds have secured lucrative positions through this channel. The hours of labor in the Government service are short, the duties light, the positions are for life, and the salaries on an average twice as much as private firms.

"B 11."

Little.

Facts speak for themselves.

Certificate from Col. Doughty.

This is to certify that I have seen and counted (3,957) three thousand nine hundred and fifty-seven receipts from persons, wherein they acknowledge having been recommended to their positions by L. D. Bass, D. D. The receipts are from May 1st, 1898, to Aug. 30th, 1899.

R. C. DOUGHTY,
Supt. 1st Baptist Sunday School.

STATE OF PA., }
Indiana Co., } ss:

Personally came before me, a justice of peace in and for said county, M. W. Daniel, who being duly sworn, said the foregoing statement is true and correct.

M. W. DANIEL, Sec.

Sworn to and subscribed this 7th day of Sept. 1898, before me.

M. G. McCONNEL, [SEAL.]
Justice of the Peace, Saltsburg, Pa.

* * * The system of instruction by mail—no longer a mere experiment—has been successfully operated by the Bureau of Civil Service Instruction, Washington, D. C., which consist of Pres. L. D. Bass, D. D. and a corps of professors in the different departments. The character of the institution is established on a high grade.—The World, Aug. 6th, 1898.

* * * The Bureau of Civil Service Instruction of Washington is commended by thousands of its pupils in every State in the Union, endorsed by banks and business men, by members of Congress, both House and Senate, conducted by scholars and scientists, is thoroughly reliable and to be depended upon.—American School Journal, Sept. 14th, 1898.

* * * Thousands not able to pass the civil-service examinations, by the aid of the Bureau of Civil Service Instruction have been able not only to pass the examinations, but to secure an appointment. Those in charge of the Bureau of Civil Service Instruction have made a special study of the scope of the examinations for each particular branch of the service, and they simply post the applicant in the line of knowledge he will be required to know, so that it is almost a moral impossibility for any one to fail. Many well-educated people fail to pass the examinations because the questions are unexpected, while less-educated persons prepared by the Bureau of Civil Service Instruction pass the examinations without

any trouble. We know that a civil-service appointment is not so much a question of scholarship as it is in being prepared upon certain things which are most likely to arise in the examinations.—National Journal of American Schools and Colleges, N. Y., Oct. 5, 1898.

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“B 11.”

Professional department, Union Teachers' Agencies of America,
Rev. L. D. Bass, D. D., manager, Washington, D. C.

This department is devoted to lawyers, doctors, dentists, teachers and professional men in general who are seeking locations, partnerships, openings or opportunities to begin their life-work. We especially cater to young professional men who have only limited means with which to enter upon their favorite or adopted profession, and to persons who have had some experience with the vicissitudes of fortune after battling for several years with indifferent success.

The colleges and professional schools of the United States annually graduate an average of 72,921 students. Of this vast number only a limited few are ever heard of as having “made their marks.” Why? Possibly they began their professional careers at the wrong places, with the wrong parties and under other unfavorable conditions, and until they are through experimenting with locations, partners, etc., the prime of life has passed. “Be sure you are right and then go ahead” should be the motto of every business and professional man whenever he makes a venture of any kind.

Our business is to assist you in getting “right,” and this is how we do it: If you wish to know of good locations for opening an office, we can point them out to you. If you desire a partner in business, we can refer you to the right party. If you wish to become a partner in business, we can refer you to parties desiring partners—because of age, overwork, etc. If you wish to buy a practice or business, we can refer you to persons who desire to sell. If you merely wish an apprenticeship or clerkship in an office, we may be able to assist you. If you are an established practitioner and desire to sell, we can send you buyers—young men with energy and money.

Our information is collected and reported by our correspondents located in every State and county in the Union, and is issued daily in typewritten reports that contain all obtainable data that would be useful to our clients.

* * * * *

This is to certify that at this time, August 5, 1899, over 700 teachers, and professional men registered with Union Teachers' Agencies have enrolled with us for a trip to the Paris exposition for 1900. The round trip to cost \$88.

T. R. BASS,
Sec. Paris Exposition Tourist Company,
Washington, D. C.

91

J. D. S.

Miss Rollins.

Facts speak for themselves.

Certificate from Col. Doughty.

This is to certify that I have seen and counted (3,957) three thousand nine hundred and fifty-seven receipts from persons wherein they acknowledge having been recommended to their positions by L. D. Bass, D. D. The receipts are from May 1st, 1898, to Aug. 30th, 1898 (4 months).

R. C. DOUGHTY,
Supt. 1st Baptist Sunday School.

STATE OF PA., } ss:
Indiana Co., }

Personally came before me, a justice of peace in and for said county, M. W. Daniel, who being duly sworn, said the foregoing statement is true and correct.

M. W. DANIEL, Sec.

Sworn to and subscribed this 7th day of Sept. 1898, before me,

[SEAL.]

M. G. McCONNEL,

Justice of the Peace, Saltsburg, Pa.

* * * * *

The system of instruction by mail—no longer a mere experiment—has been successfully operated by the Bureau of Civil Service Instruction, Washington, D. C., which consist of Pres. L. D. Bass, D. D., and a corps of professors in the different departments. The character of the institution is established on a high grade.—The World, Aug. 6th, 1898.

* * * The Bureau of Civil Service Instruction of Washington is commended by thousands of its pupils in every State in the Union, endorsed by banks and business men, by members of Congress, both House and Senate, conducted by scholars and scientists, is thoroughly reliable and to be depended upon.—American School Journal, Sept. 14th, 1898.

* * * Thousands not able to pass the civil-service examinations, by the aid of the Bureau of Civil Service Instruction have been able not only to pass the examination but to secure an appointment. Those in charge of the Bureau of Civil Service Instruction have made a special study of the scope of the examinations for each particular branch of the service, and they simply post the applicant in the line of knowledge he will be required to know, so that it is almost a moral impossibility for any one to fail. Many well-educated people fail to pass the examinations because the questions are unexpected, while less-educated persons prepared by the Bureau of Civil Service Instruction pass the examinations without any trouble. We know that a civil-service appointment is not so much a question of scholarship as it is in being prepared upon certain things which are most likely to arise in the examinations.—National Journal of American Schools and Colleges, N. Y., Oct. 5, 1898.

Evidence better than talk.

From April 10 to May 31, 1899, I read and counted letters addressed to "Union Teachers' Agencies of America" from one thousand two hundred and sixteen (1,216) teachers, in which each acknowledged to have been recommended by Rev. L. D. Bass, D. D., mgr. of said agencies, to from one to three good positions during April and May. Many of these teachers expressed surprise at the prompt and immediate effort of the Union Teachers' Agencies in securing for them a position.

F. M. ROLLINS,
Mgr. Bureau of Civil Service Instruction,
Washington, D. C.

Subscribed and sworn to before me June 8th, 1899.

JOHN R. YOUNG, [SEAL.]
Clerk Supreme Court D. C., Washington, D. C.

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"B 12."

Supplement to Manual of Union Teachers' Agencies of America.

Union Teachers' Agencies of America.

Union Teachers' Agencies of America, Rev. L. D. Bass, D. D., manager.

Offices in Pittsburg, Pa.; Toronto, Can.; New Orleans, La.; New York, N. Y.; San Francisco, Cal.; Washington, D. C.; Chicago, Ill.; St. Louis, Mo.; Denver, Colo.

Address all applications to Pittsburg, Pa.

Object.—To supply colleges and schools with professors and teachers of all kinds. To aid teachers in securing desirable positions.

Advantages.—1. It is permanently established.

2. It transacts business in every State in the Union, in Canada, Great Britain, and on the continent of Europe.

3. Its location in the several large cities affords superior facilities for gaining information and assistance for its members.

4. Its manager is a reliable business man and an active educational worker, and has experience in public and private schools, colleges, and universities as teacher and president.

The best teacher for the salary offered is our aim. A careful study of the many candidates registered here, and the exercise of judgment in naming the best candidate, have won him the majority of appointments from our list. Our candidates have come to us mainly on the recommendation of college presidents and professors, principals of normal schools, and superintendents; hence our teachers are persons entirely capable of doing the kind of work desired. Our teachers are of high grade, and have won for this bureau its reputation.

Best teachers register.—It is admitted that the great majority of

the best teachers register in one or more bureaus, and that colleges, schools of all kinds, and employers of teachers consult the bureaus, knowing that through the aid of the bureaus only first-class candidates can be presented.

Teachers registered with us cover a wide field. We have supplied every position in the following list: College presidencies, college professorships, city superintendents, principals and assistants of all kinds in normal schools; high school, grammar school, and primary school principalships, city training schools, manual-training schools, and academy principalships. Positions in public and private schools to teach art, elocution, music, drawing, manual training, cooking, commercial branches, languages, sciences, higher English, physical culture, kindergarten, etc.

Universities and collegies represented.

Harvard,	Univ. Chicago,
Yale,	Univ. Illinois,
Princeton,	Univ. Vermont,
Amherst,	Univ. Wisconsin,
Bowdoin,	Univ. City N. Y.,
Dartmouth,	Univ. Nashville,
Tufts,	Univ. Michigan,
Williams,	Univ. Minnesota,
Brown,	Univ. Virginia,
Wesleyan,	Univ. Toronto,
Cornell,	Univ. Missouri,
St. Lawrence,	Univ. Maryland,
Hamilton,	Univ. Pennsylvania,
Columbia,	Univ. Indiana,
Hobart,	Cambridge, England,
Colgate,	Oxford, England,
Colby,	Dublin Univ.,
Buchtel,	Heidelberg, Germany,
Bucknell,	Hamburg,
Trinity,	Leipsic,
Boston,	Berlin,
Syracuse,	Gottingen,
Lafayette,	Strasburg,
Palatinate,	Paris,
Haverford,	Johns Hopkins,
Muhlenberg,	Middlebury, Vt.,
Dickenson,	Woodstock, Canada,
Rochester,	Rutgers,
Allegheny,	Washington and Lee,
Ohio Nor. Univ.,	Randolph-Macon,
William and Mary,	Franklin and Marshall,
Trinity, N. C.,	Union,
Ohio Wesleyan,	West Point,
Oberlin,	Annapolis Naval Acad.,
Ohio University,	Mich. Agri. Coll.,

Texas University,
 Wittenberg,
 Univ. West Va.,
 Alfred Univ.,
 Elmira,
 Packer Coll. Inst.,
 Smith,
 Wooster,
 Mount Holyoke,
 Vassar,
 Swarthmore,
 Furman Univ.,

University Alabama, etc., etc.

Ross Polytechnic,
 Pratt Institute,
 Teachers' College,
 Mass. Inst. Tech.,
 Worcester Polytechnic,
 Wellesley,
 Radcliff,
 N. Y. Normal College,
 Butler,
 Bryn Mawr,
 University Georgia,
 South Carolina Univ.,

Normal graduates

from nearly every school are represented. A special feature of this bureau has been the furnishing of normal graduates fitted for special work in music and drawing. A great many teachers have been supplied who are now doing this work.

Employers may leave the selection of teachers to the manager without hesitation. A wide acquaintance, a choice field for selection, and careful discrimination will choose the right teacher every time. The responsibility of the choice should guarantee against mistake.

In the matter of special teachers the manager of this bureau has exceptional opportunities for knowing the best available candidate. Owing to a personal acquaintance with many prominent kindergarten trainers, musicians connected with schools of music, the art schools, manual-training schools, and special schools of different kinds, recommendation can be given with intelligence. Many excellent combinations can be made by the manager for almost any grade of institution.

Who should register.

1. The progressive teacher who wants to secure a better position.
2. The good teacher without a position. Because a teacher resigns his place or fails of re-election, we do not conclude that he is necessarily incompetent and unworthy of our attention. Local conditions are often such that a teacher has to be sacrificed either voluntarily or involuntarily, and the victim generally is not at fault, and will do well under other conditions.
3. The inexperienced teacher with good educational qualifications, good health, and ambition. The young graduate with head full of wits and heart full of fire can win out every time when placed under proper supervision. One of the most successful public school superintendents we know secures bright young graduates for his vacancies, with excellent results.
4. The graduate student. Those doing graduate work will find the agency a very valuable medium. Our work among colleges and normal schools is growing constantly, and our opportunities for placing superior talent are yearly increasing. The college professors

can place a great many men through their own influence, but sad experience has shown that they are not infallible, and a man does not want to run any risk, especially after he has spent his last dollar in attending the university. Do not put off consulting us till too late. You want all the help you can get, and as wide a field to choose from as you can have.

Register early.

In the early spring and summer a large number of teachers are elected for the ensuing school year. This being the case, it is unwise to postpone registration and thus miss some excellent opportunities. Changes in principalships, superintendencies, and in private schools particularly, are apt to be made early for the ensuing year.

Not least in importance is the chance the agency has in knowing intimately your wants and qualifications. It is well to get your application on record early for your own sake as well as ours.

Our terms.

For full information on this point we refer to our registration form. Our commission upon regular positions is the usual one of five per cent. on one year's salary. For short time, temporary, substitute positions, and the like our commission is based upon the amount actually received. We expect pay only for services actually rendered and accepted. Arrangements may be made so that the commission can be paid out of the salary as it is earned.

We beg to state, when teachers register with us and do not want their boards or employers to know they have done so, their wishes will be respected, and all correspondence with us will be strictly confidential.

How to use the agency.

Our teachers should bear in mind that we are going to get them positions if we can. It is for our own interests to do so. They should remember that we will do the very best for them we can with the opportunities which come to our attention. We cannot create vacancies, nor can we create necessary qualifications in candidates which they may not possess. We cannot estimate the number of profitable vacancies which may occur at a given time, but we keep our offices open for business, and our business machinery working the year round. Our past experience has taught us that we can with reasonable certainty locate a very large proportion of the available desirable teachers who employ our services.

We want our teachers to know that we work earnestly for them, and that they are in good company. This agency is no charitable institution nor hospital for incompetency. We have a list of the best teachers in the country. Many of them are employed in the foremost universities and schools. We are glad to say that we have helped some of them to such positions; but, even if we had not, the fact is apparent that superior teachers who have the stamp of ap-

proval of our best educational institutions are in no small numbers on our list.

The young teacher, or teacher holding a minor position, need not be afraid to ask us for aid. If you have teaching power in you, we want you. It is from such that the ranks of the higher places are recruited. Everybody must begin, and the fact that a teacher is young or new at the business by no means renders that teacher undesirable or places him outside the pale of consideration.

Valuable suggestions.

Teachers who register with us should fill out carefully and fully our application blank. That blank is the result of many years' experience, and you may depend upon it that there are good reasons for every single thing on it. If you omit to answer any question, it is just as likely as not that we shall need to know about that very point. It may seem rather personal to ask about such matters as to your church relationship, etc., but a very little reflection will show you the necessity of such information in dealing with denominational schools, boarding schools, etc.

We think we know how to carry on our business, and any candidate who does not care to go through the regular channels of the agency procedure lessens the likelihood of receiving the most satisfactory service. The great value of the agency from the standpoint of an employer of teachers is its absolute impartiality. No preference is shown one candidate over another.

Call on us, so that we may know you personally. If impossible to call, send a good photograph; in fact, it is well to send us one anyway to keep on file. (In this connection please note our special announcement about copies of photographs.)

"Can I afford to pay an agency for securing me a position?"

The fee for registration is merely nominal, and does not pay the expense of bookkeeping and correspondence. It is charged not for profit, but to keep out those who would otherwise register as a speculation, placing their demands as to salary beyond the probability of acceptance. The charge for service is contingent upon success, being a commission on the first year's salary. As the candidate is under no obligation to accept a position when offered, he does not become liable for the commission, unless satisfied that he can pay it with profit to himself. The agency is obliged to secure him a position better, by the amount of the commission at least, than he could otherwise get, or it receives nothing for its services. The payment, therefore, cannot be considered otherwise than profitable to the teacher.

Join now.

Many times teachers put off seeking a position too long. Again, they use their own efforts so long before seeking our aid that they are left without a position. Therefore do not procrastinate. If you

find the efforts of yourself and friends unavailing, join us, and we will do the best we can for you.

If we cannot give you satisfactory service for the coming school session, no agency can. We have expended for the past year several times as much money as any other agency in the United States in advertising and in corresponding with employers, and this for the benefit of our registered teachers.

Testimonial letters.

The best evidence of what we can do in the future is what we have done in the past. We might publish lists of places filled, tables of salaries, etc., but such a method lacks the vital touch of personality. We have accordingly thought it best to give list of places filled, tables of salaries, etc., in our large manual of 250 pages. Among our testimonials there are letters from teachers in modest forty-dollar grade places, and some from teachers receiving three thousand a year; some from presidents of institutions of the greatest importance, and some from schools of no more than local reputation. To himself, the business of each is all-important. It is necessary, therefore, to give due attention to the great as well as to the small.

Direct application.

Of the positions filled by this agency last year fully ninety per cent. were direct applications from presidents, superintendents, and school boards. We rely upon facts, and not upon vague rumors and indefinite information. Many good places are reported by our members, and this information is reliable and is very highly appreciated; but even in these cases we seek information directly from the school board or president of the school, and thus obtain the knowledge necessary to enable us to select the proper teachers for the position. What practical teachers want is definite, positive information, and this we will give. We never recommend but one candidate for a position at a time.

The long printed list of successful candidates makes a good showing, but is little comfort to the much greater number constituting the unpublished list of teachers who registered without receiving any benefit. You will show your wisdom not by registering in the agency which you think enrolls the largest number of teachers, but in the one which finds places for the largest percentage of its candidates.

Registration in a good agency does not lessen your chance of securing a position through your own efforts. It gives you the advantage of all the additional chances of which you could not avail yourself through your own efforts.

Afro-Union Teachers' Agencies.

This agency has been organized for the benefit of colored schools and teachers. The demand for colored teachers has far exceeded

the registrations. The same care and interest are given to this branch of the work as to the white schools and teachers.

Address all applications to

REV. L. D. BASS, D.D.,
Pittsburg, Pa.

93 The following exhibits are a part of the Government's said Exhibit "B" which relate to and illustrate the literature of the Bureau of Civil Service Instruction and will hereafter be referred to as said Exhibit "Ba," "Bb," etc.:

94

"Ba."

(B. B.—8.)

Save this sheet for reference.

Rates of Enrollment.

Bureau of Civil Service Instruction, 123 Fifth street N. E.,
Washington, D. C.

Department of civil-service examinations.

Regular Enrollment.

Plans of payment are as follows:

Plan A, \$16 cash.

The remittance must accompany the application for enrollment. (If entitled to any discount it should be deducted and only the balance sent.)

Plan B, \$17 in installments.

Payments must be made as follows: \$10 cash with the application, and \$7 within 30 days from date of enrollment. (Discounts will be made on the \$7 payment only.)

Plan C, \$18 in installments.

Payments must be made as follows: \$8 cash with the application; \$5 within 30 days and \$5 within 60 days from date of enrollment. (Discounts will be made on last payment only.)

NOTE.—The instructions and work are just the same—the different plans referring only to the manner of payment. Plans B and C are simply installment plans of paying the enrollment fee.

Instructions begin as soon as application is received and accepted.

Discounts.

15-day discount.—A discount of \$1 on either of the three plans above mentioned will be made if the application, properly filled out, is mailed to us within 15 days from the date stamped at the bottom of the application blank enclosed herewith. If plan A is selected (and you are entitled to the discount), send only \$15 for full payment. If plan B or C is selected the discount will be made on the last payment.

Family discount.—A discount of \$2 on the fee of each will be

made to two or more members of the same family who enroll at the same time. If plan B or C is selected the discounts will be made on the last payment.

Club discount.—A discount of \$1 will be made on the fee of each when two or three enroll at the same time. A discount of \$2 will be made on the fee of each when four or more enroll at the same time. If plan B or C is selected the discounts will be made on the last payment of each.

Commission on Appointment.

The only cost, before appointment to the Government service is secured by means of a civil-service examination, is the enrollment fee. The enrollment fee pays all cost of instruction for as many examinations as it may be necessary to take in order to secure an appointment within five years from date of enrollment. As soon as a permanent appointment is secured during that time, an additional charge is made of 3 per cent. of the yearly salary, for the first year only, less the amount paid as enrollment fee, which is to be paid out of the first month's salary.

To illustrate: If a permanent appointment in the Government service is secured at a yearly salary of \$1,000, the commission to be paid out of the first month's salary would be 3 per cent. of \$1,000 (which is \$30) less the amount paid as enrollment fee. If the enrollment was on plan A the amount of commission to be paid on a \$1,000 appointment would be \$14 (\$30 less \$16—the enrollment fee on plan A). If the enrollment was on plan B, \$17 would be deducted from the 3 per cent. commission and \$13 would be paid; if plan C was the plan of enrollment, \$18 would be deducted from the commission of 3 per cent. on the yearly amount of the permanent appointment, leaving \$12 to be paid out of the first month's salary. The above figures apply only to an appointment at \$1,000 per annum. As soon as the commission is paid, as explained above, the contract which existed between the student and the Bureau of Civil Service Instruction is at an end.

95 (B. B.—9.)

Rates of Enrollment—Continued.

Limited list.

For those who have taken an examination within one year from the date this is received.

For the benefit of those who have already passed an examination and appreciate the good we can do them in reporting their standing on the "eligible list," when the register is public, looking after their interests, advising them of the probability of appointment and what position to accept, and assisting them in numerous ways, we have adopted the plan of the limited list.

All benefits of the reserved list, in addition to the above, are given to those whose names are placed on the limited list. (See "reserved list.")

The fee is \$2, which must be sent with the application.

To those who will take another examination if not appointed on the one already taken, the limited-list privileges may be had free of cost by being changed from the limited list to regular enrollment within one year from the date the limited-list application is accepted. Credit for \$2 on regular enrollment is given to all on limited list.

By sending an application with \$2 for benefits of the limited list within the 15-day discount period as shown on the application blank, one (\$1) dollar can be saved. By taking advantage of the 15-day discount the name can be changed from the limited list to regular enrollment, at any time within one year and certificate of enrollment will be sent, by paying only \$13 additional. As soon as the change is made to regular enrollment instruction for examination will be commenced at once, and all other advantages will be given.

This "limited list" has been adopted only to meet the requirements of those who have passed an examination. Quite a number have enrolled on this plan. (See complimentary extracts from their letters in our circulars.)

N.B.—An application for limited-list privileges cannot be accepted from any one who has not passed a civil-service examination within one year from the date this is received. No instruction for examinations is given until the name has been changed from the limited list to regular enrollment.

Reserved List.

For all who are not ready to begin preparing for an examination or are not able to apply for regular enrollment within the 15-day discount period.

Those who desire to enroll with the Bureau of Civil Service Instruction regularly and find it impossible to do so at once, can on payment of \$2 have their names placed on our "reserved list."

The benefits to those enrolled on the "reserved list" are as follows:

1st. We allow them the 15-day discount when they are ready to pay the balance of the fee and begin taking instruction, if they have had their names entered within the fifteen days allowed for the discount. (See application blanks.)

2d. They are kept posted about all changes in the Government service, and receive all the benefits of the institution except instruction and preparation for examination.

3d. We send to all a blank, which when filled out, gives us the information which enables us to give them the benefits at once of

matters affecting their interests. This in many cases is worth many times the fee for regular enrollment.

4th. Special examinations are sometimes held and a notice in the papers is all the notice that is given. We know those on the reserve list will be interested and notify them at once, giving all the particulars and advice. If they wish to prepare for the examination, they enroll regularly, we begin special instructions, and have them prepared on time. On account of insufficient notice only few applicants appear. Our students are prepared and the victory is an easy one.

5th. When the balance of the fee is sent, the name is taken from the reserved list and entered "regularly enrolled." Then we send our instructions and give work and advice of all kinds as explained for regular enrollment.

The privileges of the reserved list are good for one year and really cost the student nothing, as the \$2 thus paid is credited on the regular enrollment fee when instructions begin which can be at any time within the one year, and only \$13 additional is required (if discount is allowed) to pay the fee in full for regular enrollment, and no further charge is ever made unless appointment is secured.

By having their names placed on the reserved list they can actually save \$1 as they can get the benefit of the 15-day discount, which they would not be entitled to did they enroll regularly at some later date without first being on the reserved list. The 15-day discount, as explained on the application blank, is for those who enroll either regularly, or on the limited or reserved list, within fifteen days from date stamped at bottom of the application blank, and is offered with our circular when sent to any address for the first time only.

BUREAU OF CIVIL SERVICE
INSTRUCTION,
Station F, Washington, D. C.

96 [Tear off at this fold.]

(B. B.—10.) *Application Blank.*

Bureau of Civil Service Instruction, Station F, Washington, D. C.

GENTLEMEN: Having signed the contract below, I hereby make application for privileges of — in the department of civil-service
(State whether regular enrollment, limited or reserved list.)

examinations of the Bureau of Civil Service Instruction. I have selected plan — and enclose herewith — (\$—) dollars, the required fee.

Name, — — —,

(Write your name just as you want it on the certificate.)

Write plainly name and address.

No. — — street — —,
— — (City or P. O.),
— — county, — — (State).

Date of application, — — —.

Here give the names, occupations, and addresses of two responsible persons who will, if called upon, testify to your moral character and your reputation for honesty.

_____.
_____.

Contract.

In consideration of the promise of the Bureau of Civil Service Instruction to instruct me for the civil-service examination I may select, and as many of said examinations, within five years from date of my enrollment, as it may be necessary for me to take in order to secure an appointment in the Government service, which instruction is to be without further cost to me until I am appointed, than the regular enrollment fee which I have paid (or will pay promptly in installments), I agree:

1st. To follow the instructions of the Bureau of Civil Service Instruction to the best of my ability, and give my best efforts to become proficient in the line of such instructions.

2d. To keep secret all the instructions imparted to me by the said Bureau of Civil Service Instruction, and not to reveal the same to any other person for the purpose of enabling such person to pass the civil-service examination, or for any other purpose whatsoever.

3d. If I am successful in obtaining an appointment by means of a civil-service examination within five years from date of my enrollment, I agree to pay to the said bureau three per cent. of the yearly salary (for first year only) at which I am permanently appointed, less the amount already paid as enrollment fee, the same to be paid out of my first month's salary.

(Signed)

Name, _____.

Date, _____.

~~Do~~ A certificate of enrollment containing copy of above contract will be mailed as soon as enrollment fee is paid in full.

N. B.—All remittances made by registered letter, postal money order, express money order or draft can be sent at our risk. Personal checks not accepted unless certified.

97 B. B. 22.)
[Vignette.]

Bureau of Civil Service Instruction, 123
Fifth St. N. E., Washington, D. C.

Department of civil-service examinations.

This certifies that the application of _____, of _____, for enrollment in the department of civil-service examinations, of the Bureau of Civil Service Instruction, accompanied by the required fee, has been accepted, and as evidence of the same this

CERTIFICATE OF ENROLLMENT

is issued, subject to the conditions of the contract heretofore signed by the said party and a copy of which contract is printed on the back hereof.

In issuing the certificate of enrollment the Bureau of Civil Service Instruction agrees to instruct the party to whom it is issued—or to whom it may be transferred according to the regulations of the said bureau—for the civil-service examination selected and as many of such examinations, within five years from date of this certificate, as it may be necessary for the said party to take in order to secure an appointment in the Government service, which instruction is to be without further cost except after appointment.

The Bureau of Civil Service Instruction further agrees to advise the said party, without further compensation, regarding all matters connected with the civil-service examinations and the Government service as often as requested in addition to the regular instructions and advice, which are considered a part of the course of preparation for examination.

In witness whereof, the seal of the Bureau of Civil Service Instruction has been hereunto affixed this — day of —, A. D. —.

BUREAU OF CIVIL SERVICE
INSTRUCTION,

By — —, President,

By — —, Secretary and Treasurer.

The illustration given above is a fac-simile of our certificate of enrollment, given under seal, to each student as soon as the regular enrollment fee is paid in full.

98

"Bf."

Bureau of Civil Service Instruction, Washington, D. C.

Prepares by mail for all Government examinations.

Washington.

To reside in Washington two or three years, with one's eyes and ears open, is as good as a college education. He may observe the customs of representative people of every land; become acquainted with the most distinguished men and women of the generation: study the manners of the most cultured society; witness the deliberations of the National Congress; attend the sittings of the Supreme Court and the receptions of the President; study the architecture of many climes and ages in her public buildings; landscape gardening from her parks and public grounds; painting in her art galleries; sculpture from the statues which adorn her public squares; music at her conservatories and musical festivals; botany at the Botanical Gardens; animal life at Zoological park, and all the lore of the world in the Library of Congress. He can study law, medicine, theology, dentistry, literature and science at her colleges and universities, and, in short, the traveler in search of information, in whatever department of human activity, will find here wells of water for his refreshment, and that knowledge which Plato pronounced sweeter than honey.

Is a Government position desirable ?

There are very few persons who, in these hard years, would answer this question in the negative, yet few know the numerous advantages which Government employés possess over other persons. In the matter of salaries, the Government pays on an average twice as much as private firms for the same kind of work. A clerk who would think himself well paid at \$50 a month in a mercantile house, would receive for the same grade of work \$125 a month from the Government. The salary of \$150 a month is paid by the Government for less talent and half the work which would be rewarded outside by \$60 a month. There is no reduction of salary when hard times are on. A salary has a way of appealing even to one who is not mercenary. It means all the comforts and many of the luxuries of life. A home of one's own, family well clothed, children well educated, plenty of friends, and entrée to the society to which one belongs—all these things follow in the train of a regular and reasonable income, and it is no wonder that to obtain it becomes the leading object of so many lives.

The hours of labor in the Government service are short, the duties light, and the positions are for life. Each year one month's leave of absence is allowed with full pay, and an additional month with pay in case of sickness. In meritorious cases, two months are allowed with pay in case of sickness, in addition to the regular annual leave of one month.

Salaries.

The most important thing connected with a Government office is the salary, and the larger it is, the more important it becomes. The following are some of the salaries, and it must be remembered that they are attached to life positions :

Departments at Washington.—Clerk, appointment at \$900 or \$1,000, promotion to \$1,800. Assistant examiner, Patent Office, \$1,200, promotion to \$2,500. Special pension examiner, \$1,300, promotion to \$1,800. Medical pension examiner, \$1,300, promotion with allowances to \$2,500. Book-keeper, \$1,500, promotion to \$1,800. Medical examiner, Pension Office, \$1,800. Railway mail clerk, \$800 to \$1,200. Teacher, Indian Service, appointment at \$540 or 100 \$720, promotion to \$1,200. Government Printing Office—Compositor, \$3.20 per day. Pressmen, book-binders, etc., \$3.76 per day. Tagger and stock examiner, \$720 to \$900.

Salaries in the postal, internal-revenue and customs services are not uniform, but vary greatly with the different offices. The salaries at any particular office can be ascertained by inquiry at that office.

We furnish our students, on enrollment, a complete list of the positions under the civil service, the salaries attached to same and the subjects on which applicants will be examined for each place.

How to get a Government position.

The only way open to those who wish to get into the service of the U. S. Government is through the civil-service examination. It is useless to take the examination and fail, and quite as useless to take it and secure only a poor grade. Unless a high standing is secured, one might better save himself the trouble. We make a specialty of training applicants for positions under the Government in just the things they need to know in order to pass the examinations at a high grade. We give a course of training by mail which will enable any person of industry, who possesses a fair education, to pass high. This department is under the management of a corps of experts, who have become such by years of experience, added to native ability of the highest order. Our training is in the direct line of the examination. It familiarizes the student with the rules of the commission, and supplies in detail the information necessary to pass at a grade which will make him practically certain of a place.

Our course of instruction.

When you have selected your examination, we begin a regular course of instruction, the first feature of which is a trial examination designed to disclose to us the character of the help required. This shows where your education is defective. No two students need exactly the same kind of help, and it is our boast that we do not deal in generalities, but adapt our instruction with nicety and precision to the needs of each particular student. We then give several examinations in succession, made up in part of questions 101 which were lately used in the Government examinations, and in part of those most likely to be used in the future, grading your papers according to the rules of the commission.

A painful process.

There are few persons who take the examination without a course of special training who succeed in passing, and those who do are usually at a grade so low as to leave them without hope of appointment. They observe their errors and learn somewhat of the rules of the commission in the first examination, which is of great service to them thereafter, and on the second trial they do better. The records show that more pass on the third trial than on the second. Many take the examination year after year, learning a little with each failure, until at last they are successful in getting a grade which brings them to the goal of their ambition.

It is easily seen that this is a painful process involving a great waste of time and loss of salary, for a year must necessarily elapse between examinations, and, as the competition becomes fiercer each year, such delay may result in the loss of an appointment and the sacrifice of all its advantages. Our course will give you more useful knowledge than you can gain by taking the examinations for a dozen years and doing such study by yourself as you might. It

comes by mail to your own home, and an hour or two spent under our instruction each evening will soon have you hastening along the highway to success.

What examination to select.

We prepare persons for more than fifty examinations. When one enrolls with us, we submit to him a list of positions for which examinations are held, giving the salaries, subjects of examination and chances of appointment in each. This information has been gathered from many sources at a cost of much time, labor and personal investigation. There is nothing else like it in print. We also send our information blank, which when filled out gives us the necessary data from which we can determine whether his selection has been the best. Without all this information it is impossible for us to advise any one about the examination to take. Much depends on age, size, educational qualifications, previous occupation geographical location, etc., and as these are scarcely ever the same with any two individuals, we cannot give any general rules for selecting an examination. We make each case special.

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Are the examinations easy?

Some are easy, and some are very difficult. Scarcely any two are in any way alike. Some of the easiest are for positions paying good salaries, and there is a good chance for appointment. Some of the most difficult are for positions paying only average salaries and where there is practically no chance for appointment. All these things must be taken into consideration.

One of the most important parts of our work is assisting those enrolled to make wise selections as to the examination. We keep posted, and those enrolled with us get the benefit of our experience and knowledge in this special line.

Advantage of our correspondence instruction.

Let us point out to you only nine of the many advantages of correspondence instruction:

1. Spare-time study. If you are employed—as our students usually are—you can do the work at odd times, without interfering with your work or pleasure.
2. The time required is less than it would take in going to and from a school (if there were one) at your home.
3. The cost per day during the time the instruction continues is less than the cost of street-car fare would be in going to and from a school.
4. You have entire control of your work—go as slowly or rapidly as you like.
5. No lessons are missed.
6. Not kept back for dull students or pulled along to keep up with those who have more time for study.
7. The instructions are individual. The instruction for one

student would be of little value to another for whom it was not intended. As much personal instruction is given each student as would ordinarily be given to an entire class. No points are missed.

103 8. No one need know that you are making preparation or that you intend to take an examination. Let your friends know it when you receive an appointment.

9. The instruction by correspondence is just as thorough—any one who doubts the practicability of correspondence instruction, after its long-continued and well-known success, must plead guilty to ignorance in educational matters.

Correspondence teaching.

What the University of Chicago says:

"Experience has shown that such direction may be given a student by correspondence as will enable him to accomplish work of a high order. The plan has been practically tested in nearly every department of study. The results have been entirely satisfactory. It is, after all, the work which the student himself does that accomplishes the object he has in view. The instructor may not do the work for him. That which he receives from the instructor is guidance, and guidance may be given by written as well as by spoken word. In work carried on with guidance by correspondence, the student acts independently and for himself; but at the same time, being in contact with the teacher, he is also enabled to secure especial help for every difficulty, and, what is even of greater value, suggestions and criticisms touching the work he has already done. Repeated tests of work carried on in this way have shown beyond a doubt the great possibilities of such work."

President Harper, of the University of Chicago, the most advanced of modern educators, said July 24th, in a public address, delivered at Chicago:

"I have myself been personally interested in correspondence work for 20 years, and have seen the system work for that period of time. I have seen men and women in all the States, and in nearly all the countries of the world, engaged in the study of one subject and another by the plan of correspondence. There is a great deal said against it; there is more to be said in favor of it.

"1. The correspondence method of study is not intended for all men and women; it is intended for those who have the ability—the backbone—to work without the constant prodding of a teacher. Half the students in a university need the constant attention of the teacher day by day. It is the best class of students who do the work by correspondence.

"2. It is without question true that in linguistic work—I draw my illustrations from the department with which I am personally connected. Hebrew, Arabic, Aramaic, Assyrian—the work done by correspondence is even better than that done in the class-room. Students who come to us after a year of such work are better prepared than those who have taken it with us in the class-room; and

we do not mean to say that we are not doing our very best for our students in the class-room. The correspondence student does all the work himself; he does it in writing, and in the learning of a language nothing can take the place of writing. He does twenty times as much reciting as he would in a class where there are twenty people; he works out the difficulties himself, and the results stay by him. In resident work, with the teacher at his elbow, the explanation comes easily and quickly, and often goes as easily and as quickly.

The Bureau of Civil Service Instruction is located near the Capitol, two squares from the new Congressional Library, in the Union Teachers' Agencies of America building. We welcome Senators and members of Congress, who call in the interest of constituents who may be studying with us, or who wish to familiarize themselves with our method of instruction, and a day seldom passes without our receiving calls from several of them or their secretaries. Many of those who take our courses do so on the recommendation of their Congressmen or Senators. Write your Representative and have him call at the Bureau of Civil Service Instruction. He will tell you whether you should take our course or not. Our corps of experts are well known in the educational world.

This is our creed—to stand upon our merits and make no false pretensions. To do our best by our students, honestly, faithfully, modestly. To expect no praise and to deserve no blame. To pursue honorable methods and to insist that others do the same.

We have profound satisfaction in feeling that not only was this Bureau of Civil Service Instruction the first, but it has ever remained the leading institution in the world, offering to men and women the chance, denied to them by poverty or unfavorable circumstances, of pursuing a course of study and acquiring knowledge enabling them to enter, if they desire it, into a Government position.

We treat all alike. We have placed our rates at the lowest possible figure, and in justice to those who have enrolled in the regular way and complied with all our requirements, we will not accept persons on any other terms.

105 Make remittance by registered letter, postal order, express money order or draft payable to Rev. L. D. Bass, D. D., Washington, D. C., or make deposit with any bank of the city.

Your opportunity has arrived.

“There is a tide in the affairs of men
Which, taken at the flood, leads on to fortune.
Omitted, all the voyage of their life
Is bound in shallows and in miseries.”

If you want a Government position, the time has arrived for you to take immediate action. If you take an examination, it will be time and effort lost unless you pass with a high grade. There is one way to be certain—be well prepared. If you want to be sure of

that, and want to save yourself a great deal of time, useless study, and much worry, enroll with the Bureau of Civil Service Instruction, Washington, D. C.

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"Bc."

Bureau of Civil Service Instruction, 123 Fifth Street N. E., Washington, D. C.

There are about 85,000 positions filled by examinations in the Civil Service Department of the U. S. Government.

As the civil service grows in extension, it increases in complexity. The 32,000 new places brought into classified service by the President's orders in May, 1896, has brought about corresponding change in the plans and practice of the commission. The annual appointments average about 8,000. No one can tell the probable increase in force in the different branches of the Government service next year. The appointments for next year through the Civil Service Commission will probably reach 15,000 or over.

The Spanish-American war has made the United States one of the powers of the world. International affairs must be considered.

Through the State Department we shall be brought into official communication with all nations. This necessitates many new employees.

Expansion means an increase in all departments of the Government.

Remember that heretofore in the army, only one branch of the War Department, there were only 25,000 men. The probabilities are that our army will be increased to 100,000, if not to 200,000 regulars, besides many volunteers.

The Census.—30,000 new employees will certainly be needed for the census soon to be taken. Here is a great opportunity for every one who can read and write to secure a position.

Our Navy Department must be greatly increased. Our foreign interests compel us to make vast increase. Here at Washington there must be a corresponding increase in employees.

107 The Treasury Department must receive and disburse more money. In this department there will be a great increase in the customs and internal-revenue services, coming from new countries. Sugar, rum, tobacco, etc., must be looked after by the internal revenue. Into these new countries almost every article is shipped, and the customs service must be vigilant. In connection with this department is the Bureau of Navigation, the Lighthouse Service, the Coast and Geodetic Survey, Revenue Cutter Service, Architect's Office, etc., etc. Large accessions of additional employees, both at home and in the newly acquired territory.

The Department of the Interior consists of the following bureaus: Patent Office, Pension Office, General Land Office, Office of Indian Affairs, Bureau of Education, Geological Survey and Census Office.

The Commissioner of Patents has already asked for and received an increased appropriation to cover the cost of an increased force.

The Pension Office must now care for the pensioners of another war, in which there has been much sickness and death. The General Land Office will now have more public lands to look after in our new territory. The school systems must be revolutionized in our new possessions. The Geological Survey has new territory in which to investigate. The census of the new possessions must be taken as well as that of the Twelfth Census of the United States, which will require from three to five thousand clerks and other employees from three to five years. "Taking the census" does not mean simply counting the people. That alone would require but a short time.

The Post-office Department is already at work in the new territory. More new employees.

Department of Justice.—The legal branch of the Government must necessarily be active. New courts, U. S. marshals, deputies, etc., will be the natural outgrowth.

The Department of Agriculture will have a new and fertile field in which to work and investigate. The Weather Bureau will now be called upon to operate in all climates and in both hemispheres. The fisheries, animal industries and other branches will find much more to do than heretofore.

108 The Government Printing Office is a separate branch of the Government service and does the printing for all the departments and for Congress.

The civil service is growing in extension and increasing in complexity. The avalanche of new places to be brought into the classified service during the next two years will offer many opportunities to secure a position.

Our object.

It is our business to aid those who wish to secure a place by passing a civil-service examination.

The Civil Service Commissioners can aid you very little. The system is involved in much obscurity, and is growing more complex every day. The Government commission will send you their laws and rules, and probably their report of 500 pages.

This will not satisfy you. This does not cover the point you wish to know. You are like the man who has never seen a court-room or law book. He does not want to be told to go to the law library and find out. A man who has never read law studying up his own case in the law books is just like the man or woman trying to get the points about Government positions by reading the publications of the commission.

What the commission declares it cannot do, and its duties do not require it to do, is precisely the identical thing which the Bureau of Civil Service Instruction undertakes to do.

You may send in your application to the commission, and after provoking delays have it returned marked, "Too late in sending it in." This is unfair. If your application blank is found to be incorrect, you are at a great disadvantage to begin with, and if incorrect

the second time, then you will not be allowed to take the examination. With our students, if the application blank is returned because it is incorrectly filled out we see that it is correct, and they run no risk in sending it in the second time.

In all other branches of the Government service, persons who have business to prosecute and who live in the States, employ attorneys to look after their business and "stir things up." This is part of our business before the Civil Service Commission. Our students have no trouble, however, for we keep them thoroughly posted and instructed about what to do and when to do it. Another thing: Reliable information about the rules and laws of the Civil Service Commission is hard to get. There are so many changes made that when an annual report is published it is only a very short time until it is unreliable, and the public is at a loss to know what is old and what is new. The multiplicity of rules and laws is beyond the comprehension of any one save an attorney who makes it his business to keep posted on these changes. Ignorance of the rules will not excuse you.

109 A "fair" grade is no better than a poor one.

Unless you can pass with a high grade, it is not worth while to take the examination.

The Bureau of Civil Service Instruction gives you a complete review of the subjects embraced in the examination. We prepare you along the line of the examination, not only on questions that have been used in examinations for six years, but on questions that may be used. We know the entire scope of the questions that will be used. When we prepare you for the examination, we give you such a review as you could get in any school at your home, with the additional advantages (which cannot be overestimated) that we review you along the lines where you will be examined. The commission gives information and we give instruction. See!

Do not postpone enrolling, for you may need more preparation than you think. Let us look out for your interests.

We desire especially to come in contact with teachers, as they will appreciate early preparation. Our success with teachers has been very marked, as their experience in teachers' examinations and their general education are very helpful. If you wish to receive a grade sufficiently high to insure an appointment, then make early preparation. The methods of the commission differ widely from the "teachers' examinations" in the States. A college education is not always sufficient. We will not accept persons of education below the average. Our work is not only on technical points, but is a thorough course covering the whole scope of the civil-service examinations.

The prospects for appointment are so exceptionally good that persons wanting Government positions should not run the risk of taking an examination without the most careful preparation. The importance of passing with a high grade, which depends on a thorough preparation, cannot be too strongly emphasized at this time.

Why not begin now with an investment—a safe one? Why not

invest your spare time in trying to better your condition in life? Suppose you fail on the first trial (which is not probable if you prepare), then you have been improving yourself, and this will aid you along other lines.

But go in to win. The Bureau of Civil Service Instruction will agree to help you for five years, if necessary, without additional cost, in order to secure for you an appointment. The higher the grade, the earlier the appointment. Many pass, few are appointed.

It is to our interest to have you receive an early appointment, as it will lessen our work and expense.

If you are really interested and desire to secure a position through the Civil Service Commission, write to Bureau of Civil Service Instruction, 123 Fifth street, N. E., Washington, D. C.

110

"Bd."

Bureau of Civil Service Instruction, 123 Fifth street northeast.

No. 4.

WASHINGTON, D. C., *February 4, 1899.*

Mr. W. Jones

DEAR SIR: Your esteemed favor received. Under the Civil Service Commission there are over 85,000 positions filled with persons who have passed the civil-service examinations. The annual appointments average about 8,000. The results of the Spanish-American war will increase the demand for many new employees. This will make at least calculation 12,000 places to be filled during the next eight or twelve months.

Those who prepare first and make a *good average* on their examinations, will be sure of an appointment. We believe the chances of securing an appointment were never better than at this time, and these chances are increasing daily. This will be true for some time at least. Our experience in the past leads us to feel that we can be of assistance to you, if you desire a Government position. If you take the examination and pass with a good average, you ought not to be out of a position very long. If not satisfied with our guaranty, you can deposit your fee with the Nat'l Capitol bank to hold until you receive the aid.

Realizing that within a very short time there would be a call for a large number of employees in the various departments of the 111 Government, the Board of Civil Service Instruction, at its last meeting decided to offer special inducements to those who register *now*, I am not sure that this offer can be made after the next examinations. The inclosed coupon and 15-day discount will reduce your registration fee to \$10.

The president, Rev. L. D. Bass, A. M. D. D., has the supervision of all preparation for all examinations, and arranges the different courses of study. Dr. Bass has for many years been engaged in educational work, and is known to the leading educators of our country, as one especially qualified for this peculiar position. That

you may know something of the Bureau of Civil Service Instructions which refer only to its head. Testimonials are different kinds. A testimonial is worse than none, for it shows that government has given it. Testimonials are something given in return. We give no testimonials from our agents. We use only unsolicited words of eminent men of our country, who have said whatever. Persons who doubt their value may file, and examine them, or have any agent of Washington, to do so.

I would advise you not to delay it a single time.

I beg to remain,

Your obedient servant,

P. S.—Make remittance by registered letter, money order, or draft payable to Remington, D. C.

112

"Rec."

Western Trade Journal

Founded 1872

Published every Tuesday

A weekly review of the industrial, inventive and financial resources of the West

Main office, 134 E. Van Buren St.

Subscription rates

Per year, in advance.....

Price per copy.....

Weekly circulation, 22,400

[See Remington's, Pettingill's, N. W. Ayer & Son's, Rowell & Co.'s 1899 newspaper directories.]

How to Obtain a Government Job.

There was a time—and not so many years ago—the acquirement of a clerkship or position in the Government was solely considered a prerogative of the political party, and a condition not to be attained by the other party. In the same days when the old doctrine of "to the victor belong the spoils" prevailed, but to the great benefit of the country there has been a wonderful revolution in the conditions and conditions. The Government has been

responsible for the quality of the testimonials, and the responsible person is the head of the department.

It is now a general rule

to give no testimonials.

It is now a general rule

to give no testimonials.

shackles through the establishment of civil-service tests for appointment, resulting in the immense improvement of conditions. In thorough keeping with this advance, education in civil-service accomplishments has also been greatly popularized. The leading political parties recognize that civil service has come to stay, and must remain as an important part of our system of conducting the business affairs of the Government.

There are many institutions throughout the country, which, while not endowed with capitalists, are imparting an education equal to the richest college or university in the land, in the way of a civil-service training. This is particularly true as regards schools having for their object the imparting of all the requirements which are necessary in passing an examination for governmental service and in securing the position made available under the civil-service law, an education which can be immediately made available to earn a livelihood and something over, besides giving the possessor the training which will make him or her independent through life, whatever misfortune may come.

Among the many valuable features which have contributed so largely toward giving Washington the enviable place she now occupies as the capital of the United States, none are more worthy of favorable mention in a paper devoted, as is this one, to the material interests of the country, than the Bureau of Civil Service Instruction at 123 Fifth street, northeast, Washington, D. C., of which Rev. L. D. Bass, D. D., is president; M. W. Daniel, secretary; and F. M. Robbins, M. L. Rutledge, K. W. Cleveland, and A. R. Bass are associate teachers.

This splendid school for training in civil-service requirements is a practical bureau where those who enroll, at the very beginning, under the direction of painstaking teachers, through correspondence are placed at the work which they seek to do for the Government. The course of study is most thorough, and the reputation of this bureau is so high that columns of praise from the writer could add but little to the superb standing it enjoys as the open road to a Government position.

Applicants can begin at any time. A new catalogue giving full information, and supplying all needed particulars will be mailed free, or given out, on application to the above address. As all the instruction is by mail, each student learns individually and can obtain a certificate at any time he or she can pass the examination, and be at once placed on the eligible list.

The examination for certificates is conducted by Rev. L. D. Bass, D. D., and persons holding certificates from this bureau will always receive personal consideration in the way of assistance in choosing a place, and advice as to vacancies, and in numerous other ways. The new conditions growing out of the Spanish-American war have created thousands of additional positions, and now is an excellent time to take advantage of the facilities which the Bureau of Civil Service Instruction affords.

All in all this bureau is just such an institution as we feel it a

public duty to endorse and recommend to every reader of the Western Trade Journal who is seeking a position that will enable him or her to be independent through life.

The fees are normal and the plans of payment so liberal that any one can secure a Government position through this excellent medium at but a trifling cost and without leaving home, until the appointment to official service is made. Write to the above address for full details and our word for it you will bless the day this editorial came under your observation. Rev. L. D. Bass, D. D., the president of the bureau, is a worthy and respectable gentleman, well known to the editor of the Western Trade Journal, who assures all his readers that any representation or promise made by this bureau can be implicitly relied upon.

113

“Bf.”

Bureau of Civil Service Instruction, 123 Fifth street northeast.

WASHINGTON, D. C., Feb. 4, 1899.

MY DEAR SIR: I have just looked over the letter of our secretary to you, and I have this to say: As most of our registered candidates have been successful in securing positions, I therefore offer you a deduction of \$6.00 on the registration fee. This with our 15-days offer makes fee \$10.00. I could not now promise that this offer would hold good after the next examinations, as we may then have all the clients we can serve. Very few persons *even members of Congress*, thoroughly understand the methods and rules of the commission, and the advice of well-informed public men is often disastrously misleading.

It would require a very large book to give all the details of the Government service, such as all the positions, salaries of each, the subjects of examinations, tables showing the number of appointments to the different positions from the different States, and the hundreds of offices through the country, the multiplicity of rules of the commission and the laws governing all classes of cases.

We have, therefore, decided not to burden you with a great quantity of printed matter, but as soon as we receive the enrollment fee, and the inclosed application blank properly filled and signed we will mail you a list of the kind of examinations from which a selection is to be made.

In having too much before a person we find that they
114 often make selection of an examination which will lead to a branch of the service paying lower salaries than some other with an examination less difficult. In this matter alone our experience and knowledge of the Government service enables us to assist our patrons to that branch of the service which will, in a few years, mean a difference of thousands of dollars to them.

When you decide on the kind of examination we begin a complete course of instruction, which invariably leads to an appointment. We prepare you for one or as many examinations as are

necessary in order to secure an appointment. It is to our interest to have you so well prepared that you will make a grade sufficiently high on the first examination that an appointment will be only a question of a short time. Do you want a position? If so you must take the examination, and no effort should spare you to prepare in the most thorough manner, for it may be the opportunity of a life-time.

Yours very sincerely,

L. D. BASS, *Pres.*

115

"Bg."

Bureau of Civil Service Instruction, Station F.

Prepares by mail for all Government examinations.

WASHINGTON, D. C., *Feb. 3rd, 1900.*

DEAR ——: It is now some months since we addressed you personally. Thinking possibly our first letter and catalogue was mislaid we write you again. Your State has not yet received its quota of the appointments. In looking over our records, which is our custom when we desire to select those which impress us most favorably and in our opinion most likely to secure a position under the civil-service rules, your name was selected.

We beg now to call your special attention to this matter. Surely your original inquiry was inspired by a desire to secure a Government position and evidently not out of mere curiosity. Now, if you wish a position under the Civil Service Commission you should by all means make an effort at once. There is a good reason for this: In the near future over 4,000 positions, in the various departments of the Government, are to be filled through civil-service examinations.

The statement has been given out that 1,000 clerks will be appointed in the Post-office Department at salaries ranging from \$650 to \$1,800. This is in one department alone. There seems to be a dearth in some of the departments for suitable help. We do not know why so few tried for Government positions during the past year.

There never has been a more favorable opportunity to secure 116 a Government position than just at the present time. Mrs.

Nannie H. Price has been teaching at Frederick, Md., for less than \$250. She began with us November 4th and two weeks ago secured an appointment under the civil service. She began work yesterday in the Government Printing Office at a salary of \$950, which will probably be increased soon. Mr. B. F. Perry, Greenville, S. C., was on police service, this week secured appointment in the secret service at a salary of \$2,000. I introduced him to a few influential politicians and we got him in. I could give you twenty such instances during the past month. Our best friends are in the Government employ.

We make you this special offer, good for twenty days. The cost of course on plan "C" is \$18. Send us \$8 now, and then pay us

the remaining \$10 thirty days after you secure an appointment paying over \$900. We advise that you apply for a position giving no less salary than this. We further agree: If you take our course and fail to get on the eligible list, we will return half of your registration fee, when you present certificate stating that you have failed to pass the examination. Could you ask us to do more? As evidence of good faith on our part we agree to deposit, or to let you deposit the fee in any bank of this city.

We know the civil service, and we are here where we can find out in which department vacancies are to occur; also to use our influence for you in every way possible. As the season is advancing and much may be lost by delay I would therefore advise you to register at once. Please let us hear from you without delay, in order that we may make an effort to secure others, if you do not desire
117 to try for a position. We are anxious to get most of our students in good positions. We have a loftier mission than the mere making of money. No compensation will repay us unless our students are satisfied.

Yours truly,

L. D. BASS.

"Bh."

Bureau of Civil Service Instruction, Station F.

1899.

WASHINGTON, D. C., Nov. 30, 1900.

DEAR MISS: Some time ago you wrote us for our printed matter, which we sent you. Now, if you wish a position under the Civil Service Commission you should by all means make an effort at once.

There is a good reason for this. Between now and March over four thousand positions, in the various departments of the Government are to be filled through the civil-service rules. On Oct. 28, 1899 the Washington Times announced that over one thousand additional clerks would be taken into the Post-office Department during the winter. You see the chance in one department alone, where the salaries range from \$600 to \$1,800.

(For some unaccountable reason only a limited number have taken the examinations during the past years.)

118 There seems to be a dearth in some of the departments, for suitable help. We know the civil service and we are here where we can find out these opportunities. If you ever expect to get a position in the Government employ I am sure this is the opportune time. If you will register with us we will do our best for you, and I believe you will never regret taking the step. We make you this special offer. If you register within 30 days we agree to give you the course for \$16. Pay \$8 now, and the other \$8 thirty days after you have secured your position. I am sure we can post you so thoroughly that you will pass the examination with a high —, and thus secure an early appointment.

Let us hear from you at once.

Truly,

L. D. BASS.

119

"Bi."

Bureau of Civil Service Instruction, Station F.

WASHINGTON, D. C., Oct. 30, 1899. 1900.

DEAR Miss TOWER: Your esteemed favor received. Under the Civil Service Commission there are over 85,000 positions filled with persons who passed the civil-service examinations. The annual appointments average about 8,000. The results of the Spanish-American war will demand an increase of at least 7,000 new employees. This will make at least calculation, 15,000 places to be filled during the next eight or twelve months.

Those who prepare first and make a good average in their examination, will be sure of an appointment. We believe the chances of securing an appointment were never better than at this time, and these chances are increasing daily.

Our experience in the past leads us to feel that we can be of assistance to you if you desire a Government position. If you take the examination and pass with a good average, you ought not to be out of a position very long.

Realizing that within a short time there would be a call for a large number of employees in the various departments of the Government, the Board of Civil Service Instruction, at its last meeting decided to offer special inducements to those who register now, and reduce their fees for the regular courses of instruction from \$25.00 to \$16.00 as will be seen by an examination of the registration blank.

This reduction is for a short time only.

120 The president, Rev. L. D. Bass, A. M., D. D., has the supervision of the work, and aided by a strong corps of instructors arranges the different courses of study. Dr. Bass has for many years been engaged in educational work, and is known to the leading educators of our country as one especially qualified for this peculiar position.

We have exhausted our manual, but in the absence of it, I enclose a few testimonials which refer to the president, Dr. Barr.

These I am sure will satisfy you as to the character and responsibility of the Bureau of Civil Service Instruction. I would advise you not to delay in registering, especially at this time.

Make remittance by registered letter, postal order, express money order or draft payable to Rev. L. D. Bass, Washington, D. C., or make deposit with any bank of the city.

I beg to remain,

Your obedient servant,

M. W. DANIEL, Sec.

121

"Bj."

Good for \$5.00.

\$5.00. Save this coupon and send it to us on account of your application for enrollment in the Bureau of Civil Service Instruction. It will save you just \$5.00.

\$(5). Bureau of Civil Service Instruction, No. 4.
123 Fifth street N. E., Washington, D. C.

This coupon is issued by us in view of the fact that the Spanish-American war will increase the employees in the Civil Service Department, and we desire that our clients be prepared in time. Therefore this coupon will be received as \$5.00 cash on account of enrollment fee in the Bureau of Civil Service Instruction, if presented within 30 days following the date printed on the back hereof. Not more than one coupon or note of any description will be received by us in any one case.

Good for \$5.00.

122

"Bk."

The following exhibits are the first, ninth, and final of a series of lesson papers prepared by the defendant for parties enrolling in the Bureau of Civil Service Instruction, and, for the purpose of economy, only three of said series are here given, they being sufficient to indicate the scope of said instructions:

First examination.

Grade No. 1.

Subjects.	Relative weights.
1. Spelling	1
2. Arithmetic	1
3. Letter-writing	1
4. Penmanship	1
5. Copying from plain copy	1
Total	5

First subject.—Spelling.

Rules for spelling.

The student is not to see the following words before writing them. No correction should be made after words are once written. The student is to have some one dictate the words to him:

fatigue	sleight
engineer	consice
superintendent	New Jersey
registered	governor
intrinzie	criticise
provisions	inclemant
resorce	San Francisco
possible	vigour
inconvenient	lucretive
accountant	disastor

Second subject.—Arithmetic.

1. What is an even number?
2. Express by figures the following numbers: Eighty million forty-two; ninety-seven million ninety-seven thousand ninety-seven; twenty-one million twenty-five.
- 123 3. Write in figures MDCCCLVI.
4. During a five years' partnership a firm gained \$123,475. If the gain of the first year was \$11,425; the second, \$9,500; the third as much as the first and second, less \$1,120; the fourth, equal to the second and third, how much was gained the fifth?
5. Divide 52467 by 109.

Third subject.—Letter-writing.

Write a letter on the "late war" containing not less than 150 words; use the number given you instead of your name.

Fourth subject.—Penmanship.

N. B.—The mark on penmanship will be determined by legibility, rapidity, neatness, and general appearance and by correctness and uniformity in the formation of words, letters, and punctuation marks in the exercise of spelling and copying.

Fifth subject.—Copying from plain copy.

History.—The applicant must possess a thorough knowledge of the history of the United States and a good general knowledge of the history of the world, and especially of the important political events of the present century.

Literature.—The applicant must possess a good general knowledge of the growth and development of English literature, as well as a knowledge of the principal writers, their works, etc., especially of English and American authors.

Grammar, composition, and rhetoric.—The applicant must exhibit a familiarity with the whole of English grammar and a fair knowledge of composition and rhetoric. Exercises in false syntax, parsing, and analysis will be included in the examination. Each applicant will be required to write an essay of not less than 300

words on a subject to be selected by the examiners as a test of penmanship and composition.

N. B.—Copy the above correctly ; capitalize, italicize, punctuate, and paragraph and underscore correctly.

Sixth subject.—Copying from rough draft No. 1.

N. B.—Make a smooth copy of the above examination manuscript, correcting all errors in syntax and orthography, punctuating, capitalizing properly. Write in full all abbreviated words. No changes are permitted, except those necessary to correct errors.

124

Seventh subject.—Geography.

1. Where is West Virginia ?
 - (a.) What mountains separate Virginia from West Virginia?
 - (b.) What river forms the western boundary?
2. What is the capital of Virginia ?
 - (a.) Where is it situated?
 - (b.) On what river?
3. What bay and river form the eastern boundary of Delaware ?
 - (a.) What is the capital and where?
 - (b.) What are the chief cities of Delaware?
4. Bound Maryland ?
 - (a.) What great bay divides this State?
 - (b.) What important river enters the head of this bay?
5. What is the capital of Alaska ?
 - (a.) What large river runs through Alaska?
 - (b.) Bound Alaska.

Please return these questions with your answers.

125 Bureau Civil Service Instruction, Washington, D. C.

9th examination.

Rules for spelling.

The student is not to see the following words before writing them. No corrections shall be made after a word is once written. The student is to have some one dictate the words to him :

postscript	paradise
postmaster	sorcery
benefaction	salary
benevolence	somersault
immateriality	civilian
irresistibility	porcelain
irreligious	perfective
indivisibility	circumvolve
discriminate	extract
postmeridian	conventional.

Second subject.—Arithmetic.

1. From $\frac{2}{3}$ of $1\frac{1}{8}$ take $\frac{5}{7}$ of $\frac{14}{15}$.
2. A man pays \$350 a year for house rent, which is $\frac{14}{5}$ of his income; what is his income?
3. A grade school enrolls 208 boys, and $\frac{4}{7}$ of the pupils are girls; how many pupils in the school?
4. If a number be diminished by $\frac{5}{7}$ of $\frac{12}{5}$ of itself the remainder will be 69; what is the number?
5. A man owning $\frac{5}{9}$ of a ship sells $\frac{3}{7}$ of his share for \$3,480; at that rate what is the value of the ship?

Third subject.—Letter-writing.

Write a letter on "the advantages of commerce," containing not less than 125 words.

Fourth subject.—Penmanship.

The mark on penmanship will be determined by legibility, rapidity, neatness, and general appearance, and by correctness and uniformity in the formation of words, letters, and punctuation marks in the exercise of the fifth subject, copying from plain copy.

Fifth subject.—Copying from plain copy.

History.—The applicant must possess a thorough knowledge of the history of the United States and a good general knowledge of the history of the world, and especially of the important political events of the present century.

Literature.—The applicant must possess a good general knowledge of the growth and development of English literature, as well as a knowledge of the principal writers, their works, etc., especially of English and American authors.

Grammar, composition, and rhetoric.—The applicant must exhibit a familiarity with the whole of English grammar and a fair knowledge of composition and rhetoric. Exercises in false syntax, parsing, and analysis will be included in the examination. Each applicant will be required to write an essay of not less than 300 word on a subject to be selected by the examiners as a test of penmanship and composition.

N. B.—Paragraph, spell, capitalize, underscore, and punctuate as in the above copy. All omissions and mistakes will be considered in marking this exercise.

Sixth subject.—Copying from rough draft.

N. B.—Make a smooth copy of the accompanying manuscript, correcting all errors in syntax, orthography, and punctuating and capitalizing properly. Write in full all abbreviated words. No changes permitted except those necessary to correct errors.

Seventh subject.—Geography.

1. Where is West Virginia?
 - (a.) What mountains separate Virginia from West Virginia?
 - (b.) What river forms the western boundary?
2. What is the capital of Virginia?
 - (a.) Where is it situated?
 - (b.) On what river?
3. What bay and river form the eastern boundary of Delaware?
 - (a.) What is the capital and where?
 - (b.) What are the chief cities of Delaware?
4. Bound Maryland.
 - (a.) What great bay divides this State?
 - (b.) What important river enters the head of this bay?
5. What is the capital of Alaska?
 - (a.) What large river runs through Alaska?
 - (b.) Bound Alaska.

127 Bureau Civil Service Instruction, Washington, D. C.

Final graduating lesson.

Rules for spelling.

The student is not to see the following words before writing them. No corrections shall be made after a word is once written. The student is to have some one dictate the words to him:

electric	immigration
calendar	Lambert
Delaware	increase
correspondence	weight
candidate	amount
miscellaneous	brethren
subject	strata
pressman	synopses
machine	Saturday
Chinese	holiday

Second subject.—Arithmetic.

1. What is a prime number? Name all the prime numbers up to 25.
2. Express in words the following numbers: 77,010,016 ; 200,020.
3. The equatorial diameter of the earth is 41,847,194 feet and the polar diameter 41,707,308 feet. How many feet greater is the equatorial than the polar diameter?
4. A man earning \$2.50 per day works 306 days per year for five years. His annual expenses are: For board, \$146; clothing, \$47; charity, \$12, and he expends \$2 per week for incidentals. What amount does he save in five years?
5. Dan Lambert at the age of 40 weighed 739 pounds. If his weight at birth was 13 pounds, what was his average yearly increase of weight?

Third subject.—Letter-writing.

Write a letter on "the Chinese immigration," containing not less than 125 words.

Use the number given you, not your name.

Fourth subject.—Penmanship.

The mark on penmanship will be determined by legibility, rapidity, neatness, and general appearance, and by correctness and uniformity in the formation of words, letters, and punctuation marks in the exercise of the fifth subject, copying from plain copy.

Fifth subject.—Copying from plain copy.

History.—The applicant must possess a thorough knowledge of the history of the United States and a good general knowledge of the history of the world, and especially of the important political events of the present century.

128 Literature.—The applicant must possess a good general knowledge of the growth and development of English literature, as well as a knowledge of the principal writers, their works, etc., especially of English and American authors.

Grammar, composition, and rhetoric.—The applicant must exhibit a familiarity with the whole of English grammar and a fair knowledge of composition and rhetoric. Exercises in false syntax, parsing, and analysis will be included in the examination. Each applicant will be required to write an essay of not less than 300 words on a subject to be selected by the examiners as a test of penmanship and composition.

N. B.—Paragraph, spell, capitalize, underscore, and punctuate as in the above copy. All omissions and mistakes will be considered in marking this exercise.

Sixth subject.—Copying from rough draft.

N. B.—Make a smooth copy of the accompanying manuscript, correcting all errors in syntax, orthography, and punctuating and capitalizing properly. Write in full all abbreviated words. No changes permitted except those necessary to correct errors.

130

“Bn.”

Whereupon the Government handed the said witness two letters addressed to John Copeland, of Copeland, S. C., and witness identified the same as having been received by him (witness), and further testified that the defendant had admitted that he (defendant) had mailed said letters to said Copeland; which said letters the Government here offered in evidence; to which offer the defendant, by his counsel, objected upon the ground that said letters were irrelevant and immaterial and incompetent for the reason that they were not evidence of the facts therein contained, and, further, that said letters are not described or set out or referred to in the indictments, but the court overruled the same, and counsel for defendant noted an exception. The letter was read in evidence, and follows:

“EXHIBIT A.”

Union Teachers' Agencies of America.

WASHINGTON, D. C., *March 23, 1899.*

Mr. John Copeland, Copeland, S. C.

DEAR SIR: I will have about five thousand letters to mail on next Monday or Tuesday. I will express them to Lamar to you. You can get them out and mail them. This will put about \$50 dollars into your hands. Of course I do not expect you to pay me anything whatever for this. If I mail them here no one gets the benefit. As you are my friend I will throw it into your hands. Write me by return mail if you would like to have me do this. I will pay the express (part torn out) my letters wherever I please
 131 and no one has a right to object. If I send them it is your duty to mail them.

I wish I could rent the house Taylor is building, and also the land, I wrote Linn to rent it for me, but have not heard from him.

Please let me hear by next mail.

Yours truly,

L. D. BASS.

Rec'd this letter from John Copeland, P. M. at Copeland, S. C., June 27, '99.

H. T. B. MOGE,
P. O. Inspector.

(EXHIBIT “B.”)

“Bn” (Continued).

Union Teachers' Agencies of America.

WASHINGTON, D. C., *March 27, 1899.*

DEAR SIR: I have expressed the letters today to Lamar, S. C. Call for them so that you can get them in the mail before Saturday, and thus get the report into your March returns. There are 4,364

"B. 1".

The following is a mimeograph form of letter
which the defendant sent in connection with
foregoing lesson, marked "Exhibit B K".

and its favors alike to the high & the low
as heaven does to the ~~pious~~

although laws may be enacted to prevent most distinctions
in society
Distinction will always exist under every form
just of Govt. that argues. Equality of
talents of education or of wealth cannot be
produced, under human laws. Every man is
equally entitled to protection } in the full enjoyment
of the gifts of heaven } best where the laws
undertake to add to them artificial distinctions to grant titles, gratuities and ex-
clusive privileges, to make the rich richer and
the potent more members of society has
a right to complain of the injustice of there
there are certain necessary evils, and if
govt. confine itself to give equal protection to the rich and the
poor it be unqualified blessing.

In copying that set you do not omit
single a word, You could copy it a half
dozen times. Make other copies similar
this rough draft you must do it with great care
and see

and the fruits of superior
industry, economy and virtue

who neither have
the time or the means
of securing like favors
for themselves.

in Govt. its
evils exist only
in themselves

letters. You see your commission from the Government for cancelling that number, will be \$43.64. Forty-three dollars and sixty-four cents. This will amount to more than the entire year. You had better have some one see the letters so that if it is called in question you can prove that you cancelled that number.

Yours truly,

L. D. BASS.

6, 27, '99.

MOGE, *Insp'r.*

132 Here the Government offered in evidence letter received from defendant by witness dated Washington, D. C., December 30th, 1899 :

Rev. L. D. Bass, D. D., president. M. W. Daniel, A. M., secretary.

Bureau of Civil Service Instruction, Station F.

Prepares by mail for all Government examinations.

WASHINGTON, D. C., *December 30th, 1899.*

DEAR SIR : It is now some months since we addressed you personally, thinking possibly our first letter and catalogue was mislaid. Since then in looking over our records, which is our usual custom when we desire to select those which impressed us most favorably as the ones most likely to secure a position under the civil-service rules, as the quota from their States was not filled, your name was selected.

We write today to find out, if possible, the reason why? Surely your original inquiry was inspired by a desire to secure a Government position and evidently not out of mere curiosity. Now, if you wish a position under the Civil Service Commission you should by all means make an effort at once. There is a good reason for this: Between now and March over 4,000 positions, in the various departments of the Government, are to be filled through civil-service examinations.

The statement has been given out that 1,000 clerks will be appointed in the Post-office Department at salaries ranging from \$650 to \$1,800. This is in one department alone. There seems to be a dearth in some of the departments for suitable help. We do not know why so few tried for Government positions during the past year. There never has been a more favorable opportunity to secure a Government position than just at the present time. Mrs. Nannie H. Price, has been teaching at Frederick, Md., for less than \$250. She began with us November 4th and two weeks ago secured an appointment under the civil service. She began work yesterday in the Government Printing Office at a salary of \$950, which will probably be increased soon. Mr. B. F. Perry, Greenville, S. C., was on police service, this week he secured appointment in the secret service at a salary of \$2,000. I introduced him to a few influential politicians and we got him in. I could give you twenty such in-

stances during the past month. Our best friends are in the Government employ.

We make you this special offer, good for twenty days. The cost of course on plan "C" is \$18. Send us \$8 now, and then pay us the remaining \$10 thirty days after you secure an appointment paying over \$900. We further agree: If you take our course and fail to get on the eligible list, we agree to return half of your registration fee, when you present certificate stating that you have failed to pass the examination. Could you ask us to do more? As evidence of good faith on our part we agree to deposit, or to let you deposit the fee in any bank of this city.

We know the civil service, and we are here where we can find out in which department vacancies are to occur; also to use our influence for you in every way possible. As the season is advancing and much may be lost by delay I would therefore advise you to register at once. Please let us hear from you without delay, in order that we may make an effort to secure others, if you do not desire to try for a position. We are anxious to get most of our students in good positions. We have a loftier mission than the mere making of money. No compensation will repay us unless our students are satisfied.

Yours truly,

L. D. BASS.

133 The further examination of the said witness, Little, was at this point suspended.

RICHARD C. STRATTON, a witness called on behalf of the Government, identified letter dated Dec. 30, 1899, exhibit marked "Bm," as one he had received by mail, and it was offered in evidence.

Witness testified that he had corresponded with Dr. Bass, and sent \$8.00 for course of instructions; that he heard nothing in reply, got no instructions, and did not get his money back; got no place.

Witness examined certain literature, and said he received it through the mail. He identified receipt for \$8 by registered letter, dated Jan. 16, 1900, and receipted by defendant.

On cross-examination witness testified that he received no instructions from Dr. Bass; that he wrote one letter after sending this money; that the money was sent in January, 1900; that he had heard that about that time the Post-office Dept. stopped all communications through the mails with Dr. Bass, and that a letter containing the lessons defendant posted to witness had been intercepted by the department and retained by it; that he had been shown the envelope containing the instructions; that he received the lessons after he had written to the Post-office Dept.

The letter was now offered in evidence as having been intercepted by the Government and afterwards forwarded to Stratton. It was postmarked Bass, S. C., Feb. 10, 1900.

Said letter is as follows:

134

"Bp."

DEAR FRIEND: You will find enclosed all fifteen lessons. We send all at once as it is late in the season and you can work upon them as you find time. After we examine and correct the papers if you wish them returned you must enclose return postage.

Write to the U. S. Civil Ser. Commission, Washington, D. C. for their last manual of examinations, and for application blank. The last manual covers much of the ground covered by the Bureau Civil Service Inst., and is author-ative. Our course may seem simple, yet it — just what you will need and covers the ground thoroughly.

Yours truly,

BUREAU CIVIL SERVICE INSTRUCTION.

MARY A. SHEPHERD, a witness called by the Government, testified substantially as follows: That she was a business woman and resided in Cleveland, Ohio; had corresponded with L. D. Bass with reference to securing a position for her daughter to teach the piano; that in May, 1898, she answered an advertisement in a musical medium of defendant or of the Union Teachers' Agency telling him that her daughter was abroad, and that she wanted a position for her to teach the piano on her return.

In reply she received quite a large quantity of literature, being the same kind as set forth in Exhibit "B." The literature said that for a registration fee of \$3 defendant would recommend her daughter to a position and guaranteed to do so; that she sent him her 135 check for \$3 and received an acknowledgment from him in a letter.

The U. S. district attorney then produced the said letter and offered the same in evidence.

Counsel for defendant objected to the letter on the ground that it was not set out and referred to in the indictment, and that it was incompetent and inadmissible upon the further ground that if the same was mailed in furtherance of a fraudulent scheme it was within itself a violation of the statute and constituted a separate and distinct offense, and could not tend to prove the offense for which the defendant was on trial.

Whereupon the court said: "It may have some bearing on the fraudulent character of the scheme." The court admitted said letter in evidence and overruled defendant's objection; whereupon counsel for defendant noted an exception [and the court admitted said letter in evidence.

The said letter is as follows:]* The letter referred to and offered in evidence was a simple receipt letter for the \$3.00.

Witness stated that she did not get a place, and that she never got her money back; that she had no personal knowledge that the

[* Words enclosed in brackets erased with pencil in copy.]

defendant ever recommended her daughter to a school. In the spring of 1899 she came to Washington and hunted defendant up. She could not find in the city directory any address of the Union Teachers' Agency, or of the Rev. L. D. Bass. She secured from the Post-office Department his local address and went to his private residence and not an office as she expected to find ; that she met the defendant at the door of his house ; that she asked him if the Rev. L. D. Bass lived there, and inquired of 136 the defendant whether he was the gentleman ; he said he was. She was accompanied by her daughter ; they went into the parlor and she told him who she was ; she told him she had his letters and had sent him the money the previous year, for which he had given her nothing ; she informed the defendant that her daughter was now teaching and wanted defendant to furnish her a better position. The defendant then said that his secretaries were out that day and he could not do anything. He said he could not give her any idea what could be done, there were so many, because the secretaries were out. Witness asked the defendant to tell her of some of the places he had filled last year ; he replied they were into the thousands, as she remembered, but he could not remember the number because there were so many, but he finally named one. The defendant had previously requested the photograph of her daughter, which the witness sent him, and she on this occasion asked him to return the picture ; the defendant made the same excuse, that he had so many photos in his possession and his secretaries were out, but the witness insisted and the defendant returned to her the picture of her daughter.

Witness further testified that out of all the lists of vacancies sent her she wrote in each case, but never received but one reply. At the time she went to defendant's residence she entered the parlor ; saw no person about the house except the defendant ; that she did not observe any corp- of teachers around the house ; that it was during daylight that she went to the house.

Witness further testified that about two years ago she came to Washington ; just previous to that date she had a communication from defendant in Washington ; the other correspondence was with him in Saltsburg ; that the defendant received three dollars from witness, and defendant sent a letter wherein was enclosed three notices showing vacancies ; that witness wrote three letters inquiring about vacancies referred to her by defendant ; whereupon the following questions were asked by the U. S. district attorney ; objections made and overruled by court and evidence admitted and exceptions duly reserved by defendant :

Q. What time did you receive this (vacancy slips) ?

A. This was written to me, this letter—

Q. After you went home ?

A. After I went home.

By Mr. TAYLOR: I offer these in evidence (said slips being like Exhibit "A" except that said slips now offered were dated April

11, 1899, and were filled out as follows: (1st) teacher, music, Chase conservatory, Columbus, Ga.; (2nd) teacher, music, Winthrop, N. & L. college, Charleston, S. C., salary \$500.00; (3d) teacher, music, Gates conservatory, Neligh, Nebraska.

WITNESS: I wrote to all these people where the vacancies were supposed to be.

Q. Take one at a time and give me the result.

Whereupon counsel for defendant objected to this question and to the method of the examination of the witness, stating that in the first place it was one thing to offer in evidence correspondence between this witness and the defendant, which would be, if true, a separate and distinct offense to those charged in the indictments, but to allow this witness to go into all the ramifications that this correspondence went through and to ask this defendant to meet

it is a very different thing; that said evidence was inadmissible upon the further ground that the reply she received

from the person she was referred to by defendant, and to whom she made application for a position, was not the best evidence of what application she made or of the existence or non-existence of the vacancies in question; that the defendant was entitled to have the best evidence on that subject, or if it is to be had, then the Government must show that such evidence cannot be had before the prosecution can lay the foundation for and introduce contents of said letters; that no evidence had been offered by the prosecution to show that the original letter witness received had been lost or destroyed, and until that be done secondary evidence of the contents of said letter was incompetent and inadmissible; and the defendant objected to said question upon the further ground that the prosecution should not be permitted to go into the *bona fides* of the vacancies in any such manner or whether the witness received or did not receive notices without either producing the parties to whom witness was directed as the ones to whom she was to apply or to produce and properly prove the original written reply, or, if said originals are lost, offer evidence showing the loss or destruction of such original replies before secondary evidence be admitted.

Whereupon the court overruled said objections and said:

By the COURT: "I think this lady is a lady who has had much experience, and she ought to be allowed to state what experience she had."

Whereupon counsel for the defendant noted an exception to the ruling of the court and stated: "We object to it on the general and far-reaching ground of the inadmissibility of evidence like that, and specifically because she cannot state the contents of an application made, as the application was in writing."

Whereupon counsel for the Government asked witness the following question:

Q. "State the result of the investigation you suggested in respect to South Carolina."

Whereupon counsel for defendant again objected on the ground that the question was too general and that it called for the contents of letters, the letters being the best evidence, and on the ground that it is hearsay evidence.

Whereupon counsel for defendant, by permission of the court, asked said witness the following question:

By Mr. DOUGLASS:

Q. "Did you make a written application or write a letter to the people in Charleston, S. C.?"

WITNESS: "I did."

Whereupon counsel for defendant renewed the objections as stated above, which were overruled.

Counsel for the defendant then and there noted an exception to the ruling of the court in overruling said objections as hereinbefore recited, and the examination proceeded.

By U. S. DISTRICT ATTORNEY:

Q. "What was the result of your efforts?"

By the COURT: "What did you find out about those vacancies?"

Whereupon counsel for the defendant said:

By Mr. DOUGLASS: "I want to get this record clear. I want to make the further objection that as it has appeared from her 140 testimony that she did not make the application in person that she could have no information in reference to it other than hearsay. Now, I want to ask a preliminary question."

The COURT: "Go on with the answer."

By Mr. DOUGLASS: "I note my exception."

By the WITNES-: "I think I am a little confused as to what I ought to answer."

By the COURT (to witness):

Q. "Say what was the result?"

WITNESS:

Ans. "I have here the notice of a vacancy in South Carolina. I wrote and made application and got no answer."

By the COURT:

Q. Take the next one (referring to replies witness received) ?

Whereupon counsel for defendant renewed the objection and noted an exception.

WITNESS:

Ans. "Kind of position—teacher of music; Gates conservatory, Negby, Neb. I proceeded in the same method and with the same result."

By the COURT: "Now, the third one?"

Whereupon counsel for the defendant urged same objection, which was overruled and exception was duly noted.

WITNESS:

Ans. (Reading:) "Teacher of music, Chase conservatory, Columbus, Georgia; and this is the answer:

"COLUMBUS, GA., April 24, 1899.

Mrs. Mary Sheppard.

DEAR MADAM: I am sorry to have to reply that our faculty is made up for the next scholastic year, and I cannot give you any encouragement for engaging your daughter for the present.

Most respectfully yours, GEORGE W. CHASE,
Pres. Chase Conservatory.

141 Witness further testified that she received three other notices of vacancies before, and all the places were written to, and only one replied.

By the COURT: "What did you learn?"

Whereupon counsel for defendant objected to said question upon the same ground hereinbefore set out, and the court overruled the same, and an exception was noted.

The witness answered: "Only one replied, and it had no vacancy."

Witness further testified that she knew of no further efforts the defendant made to secure a position for her daughter, and that she never received the \$3 back which she paid.

Whereupon the U. S. attorney offered all the literature and letters referred to by and in the possession of the witness in evidence.

Whereupon counsel for defendant objected on the grounds that said literature and letters were not set out or described in the indictments and were incompetent to prove that defendant unlawfully used the U. S. mails, as alleged in said indictments; the mailing of the circulars and literature and letters to witness, if unlawful, was a distinct, separate, substantive offense other than those alleged in the indictment; but the court overruled said objection, and defendant noted an exception.

The said offer consisted of literature and letters of the same character as set out in the Government's Exhibit "B," except the two following letters, marked Gov't's Ex. "Sheppard 1" and "Sheppard 2":

142 Gov't's Ex. "SHEPPARD No. 1."

Union Teachers' Agencies of America.

SALTSBURG, PA., May 28, 1898.

Mrs. W. L. Sheppard, Cleveland, O.

DEAR MADAM: Your favor of May 26, received.

Please find enclosed our registration blank which gives all needed information. Our manual is exhausted and I take the liberty o

enclosing some old testimonials which may answer as an endorsement in the absence of our manual testimonials.

Our work is not local but covers all of the U. S. and Can-da; is not confined to any one grade but takes in all departments of school and college work. We handled over 8,000 vacancies last year and shall probably have more this year as our facilities have been increased. We have at this time over two thousand positions for next fall to be filled soon. We could not guarantee a position before next fall. The Cuban war is causing many vacancies already as we are hearing of them.

Most of our registered teachers are now located, this reduces the list of available candidates to a very small number. Hence we guarantee to personally recommend to three or more positions each one who registers. If on receiving your application we find that we cannot conscientiously recommend you we will at once return you the fee.

The large number of vacancies we have and the many calls
143 we get from employers makes it possible for us to offer this
guarantee. I think you will find we are the only agency
which will guarantee to recommend you or return your fee. I am
sure we can be of assistance to you if you will register now.

We are exceptionally fortunate in placing for the last Sept. term
almost every teacher who registered with us before July.

As the season is advancing and much may be lost by delay I
would therefore advise you to register at once as the best positions
are filled early and before made public.

L. D. BASS.

P. S.—The Spanish-American war is causing many male teachers
to resign and enlist in the army. We receive at this office each day
over 50 good positions. In many States we have been unable to
supply the demands for teachers; consequently we are able to offer
the above guarantee.

Gov't's Ex. "SHEPPARD No. 2."

Union Teachers' Agencies of America.

WASHINGTON, D. C., *March 20, 1899.*

Mr. W. J. Sheppard.

DEAR FRIEND: You doubtless remember writing to us last year
for our printed matter. If you wish a position, or are willing to accept
a better place, you should register with us now. We placed,
last spring and summer, over three thousand teachers. Our calls at
this time are much greater than they were at this time last
144 year. Scores of good positions are coming to us every day,
and employers are requesting us to recommend suitable
candidates for positions. For many of these calls we have no suitable
candidate to recommend. Now, if you have enjoyed educational
advantages, and desire a good position or wish a better one

than you now have, you should by all means give us a trial; especially at this time. If you can show us that you are well qualified and deserving, we are positive you will receive from this office better returns than we could ever have offered before.

Being at the capitol of the nation in easy communication with all educational centers, and in direct communication with the Federal Commissioner of Education, probably accounts for this increase. We have spent thousands of dollars, this year in advertising and writing to schools that we have teachers who wish places.

In order to meet the present demands for teachers to fill positions that are now open, to us, we renew our guarantee to return the three dollars registration fee, provided we cannot *personally recommend* you to three or more good positions within twenty days. If out of this number we cannot locate you, then we agree to enroll you for two years, and during that time to personally recommend you to any suitable positions that we may have. We ask that you do not confine us to any one State. This is the best opportunity our teachers have had for years to secure better positions. Our manager *personally* and *positively makes* this guarantee to a limited number and for a limited time, May 31st, 1899.

If you should not use the enclosed registration blank, please
145 do us the kindness to hand it to some one who desires a position. We need a few principals, and assistants, and a very large number of grades teachers for both public and private schools, and colleges. We also have a few good places in music, art and elocution. Please do not forget that your interest and ours are mutual, and that we will leave nothing undone to assist you in securing a desirable situation. Please notice the inclosed certificate, as *evidence* is better than *talk*.

Yours truly,

L. D. BASS, *Mgr.*

Cross-examination :

Witness said that it was very soon after she sent the check to the defendant when defendant sent notices of vacancies to her; that she received three; that the coupon slip acknowledging receipt of the notices of vacancies sent by defendant was signed by her husband because, witness testified, she had gone to Europe to bring her daughter home; that she sailed from New York on the 23rd June, 1898, and was away until August 23d following.

Whereupon counsel for defendant asked witness following questions:

By Mr. FULTON :

Q. "Did you make the investigation in July, 1898, as to these vacancies?"

A. "I beg the gentleman's pardon. I was very careful not to say that I did it in my testimony."

146 "Q. I am asking you if you did yourself do that.

A. In regard to those slips?

Q. Yes.

A. I did not. I did not say I did.

Q. Then, what you know, Mrs. Sheppard, about the result of this investigation is what somebody told you who did make the investigation, if it was made at all. Is that true?

A. Yes.

Q. How do you know that the investigation was made at all?"

By the COURT: "Answer how you know how the investigation was made by those slips."

"A. When I came home from Europe I saw all the correspondence."

Q. "To whom was the correspondence addressed?"

A. "To my husband, after the check was sent."

Q. "And after these vacancies were referred?"

A. "Yes."

Whereupon counsel for the defendant moved the court to strike out the testimony of this witness in reference to the investigation and results made of the vacancies reported in July, 1898, on the ground that it appeared from her own testimony that when the investigation with reference to the South Carolina vacancy was made she was in Europe, and the investigation was made in her absence, and that she not only did not make the investigation, but some one else did. It certainly must be hearsay; and upon the further ground that the written replies received, if properly proved, were the best evidence of the fact therein contained, and no effort had

been made to show that such original replies were lost or de-

147 stroyed, and for the reasons aforesaid counsel moved the court to strike out said testimony; whereupon the court overruled said motion and said:

By the COURT: I think this witness was asked what the result was in reference to the first slips she received, and she said there were no answers except in one case, and in that the vacancy had been filled, or there was no vacancy, and she says she made it herself. It turns out that this investigation was made by her husband, and she saw the correspondence or what purported to be the correspondence from the parties to whom the letters were written. I think I will let the matter stand as it is. She saw the correspondence and only stated the result.

Whereupon counsel for defendant noted an exception to the ruling of the court.

MARGARET WHITAKER, a witness called on the part of the Government, substantially testified as follows, subject to the same objection urged to the competency of the testimony given by witness Sheperd, that there is nothing in the indictments which in anywise connects the testimony of this witness with the offenses alleged therein against the defendant, and an exception was taken as in the case of witness Shepherd:

That she resides at Mt. Union, Pa.; that she corresponded with

the Rev. D. L. Bass, of the Union Teachers' Agency; that she had a receipt for the \$3 sent defendant; that she did not get a position nor her money back, and defendant never recommended her for any place, so far as she knew of her own personal knowledge.

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"SALTSBURG, PA., Oct. 9, 1898."

On the back of this: "Mrs. M. A. Whitaker."

"MY DEAR MRS. WHITAKER: Yours of the 10th to hand with \$3 registration fee. We have your name enrolled and will do all we can for you. Will let you hear from us.

"L. D. BASS."

On cross-examination witness testified that she registered in the Teachers' Agency and filled out the blank, if one was sent to her; that she answered the questions on the blank, and sent it back to defendant before she received the letter just offered. (Counsel here handed the witness a registration blank and the witness testified that the blank she filled out was one of that character; that defendant sent her notices some time afterward, but did not remember just how long afterward nor how many; that she received nothing from him but the literature, that card and blanks, and notices from defendant.)

BLANCH N. SCHIEBLEY, a witness called on behalf of the Government, testified substantially as follows, subject to the objection that there is nothing in the indictments which in anywise connects the witness with the offenses alleged therein, and an exception taken as in such cases:

That she was a teacher and corresponded with the Union Teachers' Agency, or the Rev. L. D. Bass; made application for a position and paid \$3; did not get money back and got no position.

On cross-examination witness testified that she signed an application blank. (Counsel handed her an application blank which she identified as one of the same she filled signed, and returned; 149 that she applied in 1898. The blank she filled out represented the facts so far as she was concerned and the agreement as she understood it; that there was probably half a dozen notices of vacancies sent her.)

Here witness was shown receipts sent to the agency for vacancies furnished. She testified that they were all signed by her brother's handwriting, some in her name and some in his. He was also registered with the agency. Both of them got notices of vacancies. The receipts shown witness and identified by her, as aforesaid, were coupons filled out and of the same character of coupon receipt as is attached to Exhibit "A" (in blank form) hereinbefore offered in evidence by the Government.

JENNIE S. BETTS, a witness called on behalf of the Government, she being one of the parties named in one of the indictments, and testified substantially as follows:

That she lived at Houlton, Me. She recognized this letter (referring to letter in evidence, being the same set forth in the indictment; the envelope containing same was also identified by her and postmarked "Washington, D. C., Sta. B, Sep. 22, 7.30 p. —, 1898," addressed to her); that she had further correspondence with the Teachers' Agency or Rev. L. D. Bass; that she received other literature through the mail; paid \$3.00, and got a receipt for it, as follows:

150 DEAR FRIEND : I beg to acknowledge receipt of three dollars registration fee. Please accept thanks. Had you registered a few days earlier it would have been easier to place you. We shall push your claim and do our best to secure a good position.

Truly,

L. D. BASS,
Union Teachers' Agencies, Washington, D. C.

Washington, D. C., Sept. 28, 1898.

She saw the defendant's advertisement in the Bangor News and a western paper; she expected to get one of the positions. The following June, defendant sent her a list of two or three vacancies; that she threw them away because she thought she could not fill the positions. In September she was offered a school at home, but being an old and experienced teacher, thought that there would be no question but that she could fill one of defendant's positions.

On cross-examination witness testified that she registered regularly and sent the regular application, giving all the information that was asked; that she threw up her school after she had registered with the agency; had taught one term of a high school. It was a common school that was afterwards offered her; she did not accept it; she declined the school after she saw the advertisement or after she sent the money. She further testified that she threw away the vacancies he sent her without making any investigation as they were above her ability; she did not write to defendant more, as the time was past in which these vacancies were to be filled.

151 On redirect examination witness testified that she threw away the vacancies because she thought none of them would suit her. They were high grades and she judged she could not fill them.

CHARLOTTE N. FROST, a witness called on behalf of the Government, testified substantially as follows, subject to the objection that there is no allegation in the indictments which in anywise connects the witness with the offenses alleged therein, and an exception was noted to her testimony as in such cases hereinbefore taken:

That she lived at Belfast, Me., and was teaching; that she corresponded with the Union Teachers' Agency, or Rev. L. D. Bass, with reference to getting a position as a teacher. She paid \$3 for registration fee and received a receipt therefor from defendant; did not get a school or money back; that she answered defendant's advertisement in a local publication. In reply she got this letter, these

circulars, and other literature at different times, all of which is of the same character as that set out in Government's Exhibit "B," except Government's Exhibit "Frost 1."

The letters, circulars, and other literature referred to by witness were here put in evidence, subject to the objections heretofore set out, that they were not set out in the indictment, etc., and exception noted to the admissibility of same.

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Gov'T's Ex. "FROST 1."

Union Teachers' Agencies of America.

WASHINGTON, D. C., Dec. 13, 1899.

DEAR MISS FROST: Your favor received. Please find enclosed our registration blank which is self-explanatory, and should you not use it please hand it to some one desiring a position.

We have exhausted our manual, and I take the liberty of enclosing some extracts from an old newspaper, which may answer as an endorsement, in the absence of our manual testimonials, and give some idea of our standing and responsibility. Our work is an endorsement of what we can, and do accomplish for teachers.

Our calls cover every conceivable combination of subjects required to be taught in public, private, preparatory, parochial, normal, graded schools, colleges, universities and homes.

Most of our registered teachers are now located ; this reduces the list of available candidates to a very small number. Hence, for the remainder of the season, we guarantee to *personally recommend* to three or more positions each one who registers. If on receiving your application we find we cannot conscientiously recommend you, we will at once return the registration fee.

I think you will find we are the only agency that will guarantee to recommend you or return the fee.

If within 20 days we cannot locate you, then we agree to enroll you for two years, and during that time to recommend you to any suitable vacancies we may have.

153 Could you ask us to do more? Surely we can place you in two years. The large number of positions we have makes it possible for us to offer this guarantee.

As the season is advancing, and much may be lost by delay, I would advise you to register at once for the best positions are filled early and before made public.

Yours truly,

L. D. BASS.

Witness further testified that she filled up registration blanks and sent registration fee and her picture, which has not been returned.

On cross-examination witness testified that the application blank dated Dec. 27th, 1899, was the one filled out and returned by witness. The letter acknowledging receipt of her registration fee was dated Jan. 1, 1900, which said letter was here handed witness and identified by her as letter referred to ; and the U. S. district attorney

offered said letter in evidence; to which offer counsel for defendant objected on the ground that the same was not referred to or set out in the indictments, etc.

But the court overruled said objection, and an exception was thereto noted. Said letter is as follows and is marked herein as Government's Exhibit "C."

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EXHIBIT "C."

Professional and commercial branch, Union Teachers' Agency of America.

WASHINGTON, D. C., Jan. 1st, 1900.

Miss Charlotte B. Frost, Belfast, Maine.

DEAR MISS: Your favor of 27th ult. with enclosure duly rec'd.

We have entered your name on our list of members and placed to your credit \$3.00.

In a few days will send you notice of vacancies to suit your case—and hope shall succeed in securing for you just what you want.

With the compliments of the season,

Y'r's truly,

J. D. RUTLEDGE, *Mgr.*

On Feb. 17th she received a letter from the post-office inspector, Mr. Little, asking her to forward her correspondence with defendant, which she did.

ESTHER BONNER, a witness called on behalf of the Government, testified substantially as follows, subject to the objection to her testimony as urged to other witnesses, on the ground that there is nothing in the indictments which in anywise connected the 155 witness and her transactions with defendant with the offenses alleged therein, and the same being overruled an exception was taken as in such cases:

That she lived at Greenville, Ohio, and was a teacher; that she had corresponded with the Union Teachers' Agency or L. D. Bass, Washington, D. C., in reference to getting a position as teacher; had paid a registration fee of \$2; did not get position or money back, and did not remember whether she got a receipt for it; that she received half dozen notices of vacancies; that it was the hope of getting a position through the agency that induced her to send the money; that the letter defendant sent witness, in which he said he would get a position or return her the money, had been destroyed.

The notices of vacancies referred to and identified by witness as having been received by her from the defendant, also three certain replies, which witness testifies she received from parties answering her inquiries relative to the vacancies sent by defendant, were offered in evidence, subject to the following objections made and noted thereto:

1st. That the admission of the said notices of vacancies — objected to on the ground that they are not set out in or in anywise referred

to or connected with the particular offense or offenses charged in either of the indictments.

2nd. That the authenticity of the reply letters has not been properly proven, as required by law in such cases.

3rd. That the said replies form no part of the defendant's scheme, and were not sent through the mails in pursuance of any scheme to defraud, nor by any one acting for or on behalf of the defendant as an agent in connection with the alleged schemes as set forth
156 in the indictments against the defendant.

4th. That said letters are incompetent, irrelevant, and insufficient to prove the alleged schemes as charged in said indictments.

5th. That said letters are not the best evidence of the existence or non-existence of the vacancies referred to in said notices. Said notices of vacancies dated Aug. 6, 1898, and were on same kind of blank as Gov't's Ex. "A," and were filled up as follows: (1) Public school, Lacross, Ind.; (2) pub. school, Bardstown, Ky.; (3) high school, Philadelphia, N. Y. The replies received by witness, together with one letter of inquiry sent by her, are marked "Gov't Exhibit Bonner 1, 2, 3."

Gov't Ex. "BONNER 1."

Laporte city schools.

LAPORTE, IND., August 16, 1898.

Miss Ester Bonner, Greenfield, Ohio.

DEAR MADAM: The enclosed papers were handed me by the pres. of our board of education. I do not know how they came to Laporte. I enclose them as you may wish to use them.

Our positions are all filled.

Very respectfully yours,

J. A. WOOD, *Sup't.*

Gov't Ex. "BONNER 2."

GREENFIELD, OHIO, August 8, 1898.

Mr. Robert Adrian, Philadelphia, N. Y.

DEAR SIR: I write to you concerning a position in your school. I have been informed of a vacancy in the high school and desire to be considered an applicant. I have enclosed some recommendations from my instructors and if you desire to know something further concerning my work in the school-room, I would refer you to Mrs. Mollie Hickernell, Prof. T. B. Willis, or Prof. Frederick Maglott of the Ohio normal university.

I have finished the scientific course at Salem academy and have also completed the classical course at the Ohio normal university the past year.

Have had experience in teaching, having taught in Fayette Co. Ohio, and if you wish to know more concerning my ability as a

teacher I would refer you to H. G. Ghormly, S. D. Crothers, D. D., pastor of Presbyterian church; Dr. E. J. Waddel, all of Greenfield, Ohio.

Am very anxious to be in the school-room again and would be much pleased should you consider my application worthy of acceptance and if so I desire to know concerning the branches to be taught, the amount of the wages, and concerning the examination required.

Please let me hear from you at your earliest convenience.

P. O. box 448.

158 Miss Esther Bonner, Greenfield, Ohio:

In this part of New York, teachers are always engaged by the first of June and this year is no exception. I do not know how the report became circulated that we had a vacancy in our schools, as there has been none since June 1st.

Yours respt.,

W. H. HOLMES.

"GOV'T EX. BONNER 3."

BARDSTOWN, KY., *August 13, 1898.*

Miss Esther Bonner, Greenfield, Ohio:

Replying to your letter of Aug. 8, I beg to say that there is not a vacancy in any of the schools of Nelson county, at present.

Very truly yours,

J. TYLER DAVIS.

On cross-examination witness testified that she signed the ordinary registration blank when she registered; that the registration blank shown her was the same form as the one she filled up, signed, and returned to agency. In a very few days after registering

159 she received notices of vacancies. She wrote notifying Dr.

Bass as to the result of her investigation of vacancies and never heard from him; that she could not tell for sure whether he said, "I guarantee you a position" or "I guarantee to refer you to so many" or "recommend you" in the letter he wrote and which she destroyed.

On redirect examination witness said she thought defendant guaranteed a position for \$2.00 or to refund the money.

HARRY P. BRIGGS, a witness called on behalf of the Government, testified substantially as follows, he being one of the parties named in one of the indictments:

That he lived at East Radford, Va., and was a stenographer; had corresponded with the Bureau of Civil Service Instructions, Washington, D. C.; wrote to it and asked for its papers, etc., and price-list, description of course, and received the papers (which were here identified); that he sent the papers to a Mr. Weathers at his

request here in Washington; did not take the course and did not pay any money, and did nothing further about it. The papers hereinbefore identified were of the same character as set out in Government's Exhibit "B." The letter set out in one of said indictments, dated Sept. 30, 1899, and the envelope in which same was posted to witness were among said papers, and said letter is marked Gov't Exhibit Briggs No. 1:

160

"BRIGGS 1."

Bureau of Civil Service Instruction.

WASHINGTON, D. C., Sept. 30, 1899.

DEAR MR. BRIGGS: Your esteemed favor received. Under the Civil Service Commission there are over 85,000 positions filled with persons who passed the civil-service examinations. The annual appointments average about 8,000. The results of the Spanish-American war will demand an increase of at least 7,000 new employees. This will make at least calculation, 15,000 places to be filled during the next eight or twelve months.

Those who prepare first and make a good average in their examination, will be sure of an appointment. We believe the chances of securing an appointment were never better than at this time, and these chances are increasing daily.

Our experience in the past leads us to feel that we can be of assistance to you if you desire a Government position. If you take the examination and pass with a good average, you ought not to be out of a position very long.

Realizing that within a short time there would be a call for a large number of employees in the various departments of the Government, the Board of Civil Service Instruction, at its last meeting, decided to offer special inducements to those who register now, and reduce their fees for the regular courses of instruction from \$25.00 to \$16.00 as will be seen by an examination of the registration blank. This reduction is for a short time only.

161 The president, Rev. L. D. Bass, A. M. D. D., has the supervision of the work, and aided by a strong corps of instructors arranges the different courses of study. Dr. Bass has for many years been engaged in educational work, and is known to the leading educators of our country, as one especially qualified for this peculiar position.

We have exhausted our manual, but in the absence of it, I enclose a few testimonials which refer to the president, Dr. Barr.

These I am sure will satisfy you as to the character and responsibility of the Bureau of Civil Service Instruction. I would advise you not to delay in registering, especially at this time.

Make remittance by registered letter, postal order, express money order or draft payable to Rev. L. D. Bass, Washington, D. C., or make deposit with any bank of the city.

I beg to remain,

Your obedient servant,

M. W. DANIEL, *Secretary.*

FRANK E. LITTLE was recalled and the Government offered in evidence the literature witness received from defendant at 123 5th — N. E.; to which offer defendant's counsel objected on the ground that said literature was irrelevant because the same had not gone through the mail. Thereupon the court overruled said objection and defendant's counsel then and there noted an exception to said ruling. The said literature was of the same character as 162 that set out in Government's Exhibit "B."

Witness further testified that the defendant told him he was prepared to conduct a course of examinations by mail that would certainly fit the applicants and enable them to pass the civil-service examination; some of the literature he gave witness was the same as has already been read to the jury, and the other consists in the rates of enrollment and application blank for the Bureau of Civil Service Instruction.

The date of this interview was in the spring of 1899.

The house at 123 Fifth St. N. E. was an ordinary dwelling-house, without any sign of a business office thereon.

Witness' next interview with defendant was at the Post-office Dept., in the last week of February, 1900. In August or September witness had further interviews with defendant at 3432 Center St. concerning the civil service and Teachers' Agency; defendant said he had no corps of professors in that sense of the word; he had a number of clerks and members of his family; he said the Union Teachers' Agency had no branches in the different States in that sense of the word; that he had on his table 10 books, or 9 books aside from Washington, one Chicago, one New York, one Toronto, and these different places mentioned on his letter headings; if the applicant paid \$2.00 he was entered on one book; if he paid \$3.00 he was entered on all. Witness talked with defendant upon the subject of his mailing matter in South Carolina.

To the testimony relating to this subject defendant's counsel made an objection and reserved the exception heretofore noted.

Witness, continuing, said :

163 When shown the letters addressed to John Copeland, Cope-

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land, S. C., defendant said that Copeland was the renter of his wife's plantation; that a small post-office had been established there, and that it was his desire to help Copeland along. The same thing was true in regard to the establishment of a post-office at Bass, S. C.

Thereupon the Government offered in evidence, subject to the general objection and exception noted and reserved that they were not described or referred to in the indictments and not responsive to the allegations contained therein, the following publications, magazines in which the defendant advertised "The Union Teachers' Agencies of America," substantially as follows:

The Drury Mirror, Springfield, Mo.

The Tiger Collegian, Colorado Springs, Colo.

Latin School Register, Boston, Mass.

- Iowa State Reporter, Waterloo, Iowa.
The Tiltonian, Tilton, N. H.
The Mount Holyoke, South Hadley, Mass.
College Chips, Decorah, Iowa.
The Saint Paul's Life, Garden City, N. Y.
The Central Collegian, Fayette, Mo.
The Oracle, Bangor, Me.
The Program, Newburyport, Mass.
Chautauqua Assembly, Assembly Park, N. Y.
The Lantern, Columbus, Ohio.
The Western University Courant, Pittsburg, Pa.
The Vassar Miscellany, Poughkeepsie, N. Y.
School World, Farmington, Me.
The Rural Teacher, Kittanning, Pa.
164 Williaquette Collegian, Salem, Oregon.
Tufts Medics, Boston, Mass.
Emory Phoenix, Oxford, Ga.
Danvers Commercial, Danvers, Ill.
The Ariel, Minneapolis, Minn.
Ogontz Mosaic, Ogontz, Pa.
Daily Record, Stockton, Cal.
The Washington Collegian, Chestertown, Md.
The Iowa Wesleyan, Mt. Pleasant, Iowa.
Lasell Leaves, Auburndale, Mass.
Central College Magazine, Lexington, Mo.
The Echo, Olivet, Mich.
The Anchor, Holland, Mich.
The Normal Advance, Oshkosh, Wis.
Hiram College Advance, Hiram, Ohio.
The Phoenix, Tarkio, Mo.
The College Current, Valparaiso, Ind.
Doane Owl, Crete, Neb.
The William and Mary, Williamsburg, Va.
The C-ronicle, Gardner, Ill.
The Tamarack, Detroit, Mich.
The Student Record, Reno, Nev.
The Commercial Advertiser, New York, N. Y.
Amherst Literary Monthly, Amherst, Mass.
The Grist, Kingston, R. I.
The Black and Red, Watertown, Wis.
The I. S. C. Student, Ames, Iowa.
The Sewanee Purple, Sewanee, Tenn.
Rural Retreat Times, Rural Retreat, Va.
The Carletonia, Northfield, Minn.
Integral, A-mour Institute of Technology, Chicago, Ill.
165 The Wabash, Crawfordsville, Ind.
The Hotchkiss Record, Lakeville, Conn.
The Weekly Gettysburgian, Gettysburg, Pa.
Wofford College Journal, Spartanburg, S. C.
The Seaside Times, Southampton, N. Y.

Opera Glass, Bucyrus, Ohio.
 The College Meteor, Dixon, Ill.
 The Gitche Gumee, West Superior, Wis.
 Our B's, Belton, Texas.
 The Southern Educational Journal, Atlanta, Ga.
 Yale Weekly, New Haven, Conn.
 State Normal Monthly, Emporia, Kan.
 New York Hints, New York, N. Y.
 The S. Stephen's College Messenger, Annandale, N. Y.
 Stylus, Parkville, Mo.
 The Advance, Salem, Mass.
 The Howard-Payne Exponent, Fayette, Mo.
 Current Literature, New York, N. Y.
 The Weekly Mercury, Coffeen, Ill.
 The Emory and Henry Era, Emory, Va.
 The Cooper Courier, Sterling, Kan.
 The Ursinus College Bulletin, Collegeville, Pa.
 The Woman's Journal, Alliance, Ohio.
 Hopkinsville Kentuckian, Hopkinsville, Ken.
 The Christian World, Dayton, Ohio.
 Waterloo Daily Reporter, Waterloo, Iowa.
 The Garrett Weekly Clipper, Garrett, Ind.
 The Newcomerstown News, Newcomerstown, O.
 The Signal, Trenton, N. J.
 Clemson College Chronicle, Clemson College, S. C.
 The Sunday Chronicle, Chicago, Ill.
 166 Otterbein Aegis, Westerville, O.
 The Adrian World, Adrian, Mich.

The following is a sample of the character of advertisements which appeared in the foregoing:

Union Teachers' Agency of America, Rev. L. D. Bass, D. D., manager.

Teachers.

Pittsburg, Pa.; Toronto, Can.; New Orleans, La.; New York, N. Y.; Washington, D. C.; San Francisco, Cal.; Chicago, Ill.; St. Louis, Mo.; Denver, Col.

There are thousands of positions to be filled; we had over 8,000 vacancies last season. Unsurpassed facilities for placing teachers in any part of the United States or Canada. Address all applications to Washington, D. C.

Thereupon the Government offered in evidence, subject to the general objection and exception noted and reserved that they were not described or referred to in the indictments and not responsive to the allegations contained therein, the following publications, magazines, etc., in which the defendant advertised "Bureau of Civil Service Instruction" substantially as follows:

- The New Times, Dallas Center, Iowa.
Texas School Journal, Austin, Texas.
Florida Christian Advocate, Leesburg, Fla.
The Watertown Reunion, Watertown, N. Y.
The Southern Presbyterian, Clinton, S. C.
Southwesterern School Journal, Nashville, Tenn.
The New Jersey Mirror, Mount Holly, N. J.
Daily Pacific Builder, San Francisco, Cal.
The Outlook, New York, N. Y.
The Western Agriculturist and Live Stock Journal, Chicago and Quincy, Ill.
- 167 The Allentown Democrat, Allentown, Pa.
 The Pekin Daily Times, Pekin, Ill.
Journal of Education, Boston and Chicago.
The Normal Pennant, San Jose, Cal.
The Brown and White, South Bethlehem, Pa.
The Macon Telegraph, Macon, Ga.
The Kingston Daily Freeman, Kingston, N. Y.
Windham County Reformer, Brattleboro, Vt.
Christian Advocate, New Orleans, La.
The Superior Leader, Superior, Wis.
The Daily Boomerang, Laramie, Wyo.
The Republic, Boston, Mass.
Reed City Weekly Clarion, Reed City, Mich.
North Carolina Journal of Education, Greensboro, N. C.
Educational Gazette, Rochester, N. Y.
Educational News, Newark, Del.
The Pekin Weekly Times, Pekin, Ill.
The Churchman, New York, N. Y.
Amerika, Madison, Wis. (German).
Zions Herald, Boston, Mass.
The Forum, New York, N. Y.
Outing, New York, N. Y.
The Lantern, Columbus, Ohio.
The Rural Teacher, Kittanning, Pa.
Tufts Medics, Boston, Mass.
Emory Phœnix, Oxford, Ga.
The Iowa Wesleyan, Mount Pleasant, Iowa.
Hiram College Advance, Hiram, Ohio.
The College Current, Valparaiso, Ind.
The Grist, Kingston, R. I.
Integral, Armour Institute of Technology, Chicago, Ill.
 Opera Glass, Bucyrus, O.
- 168 New York's Hints, New York, N. Y.
 The Christian World, Dayton, O.
The Garrett Weekly Clipper, Garrett, Ind.
The Newcomerstown News, Newcomerstown, O.
The following is a sample of the character of advertisements
which appeared in the foregoing:

Bureau of Civil Service Instruction.

We aid those who want Government positions. 85,000 places under civil-service rules. 8,000 yearly appointments. War creates a demand for 7,000 employees within 6 months.

123 Fifth street N. E., Washington, D. C.

The statements defendant made to witness in regard to the colleges and universities named in the indictment were general. Defendant said that college graduates from all over the world had applied to him and paid registration fees for references to vacancies.

As to the averment in literature that the defendant had recommended over 8,000 persons to vacancies during the past year, defendant called a vacancy anything he received from newspaper clippings; from reference that so and so was to resign at the close of the present school year, or that a teacher in the public schools

had died, and from correspondence he had with schools, col-
169 leges, &c., and from teachers who registered with him where

they said they were going to sever their connection with the school wherein they were teaching; that he entered such as vacancies, and that is what he meant by saying in his literature he had 2,500 vacancies at that time; that he referred 8,000 vacancies to teachers registered with his agency; that when teachers registered he mailed them three or four notices of that many vacancies; defendant claimed he had recommended 8,000 by the little reference slips or notices with the coupons.

Witness further testified that defendant admitted having sent the correspondence to Miss Betts. The correspondence is mimeograph, hectograph, or printed matter; that one of each of said letters and printed circulars was presented to defendant, who said that was a sample of what he sent through the mails.

[The Government here offered in evidence the magazines, etc., containing advertisements of the two concerns, subject to the general objection and exception noted and reserved that they were not described or referred to in the indictments and not responsive to the allegations contained therein.] *

On cross-examination witness testified that defendant maintained no secrecy as to his place of mailing letters; that he talked freely and openly about the amount of his mail and sent openly to the post-office for it; that his mail was sent to the station to be sent out; that the address of the civil service only was given on the letter-heads; that witness made no inquiry as to the character of
170 the work Miss Owens, Miss Cleveland, or Miss Rawlins or Miss Daniels or Mrs. Bass performed.

Counsel for defendant then asked the witness the following question: "Don't you know, Major, that the bulk of the work required to be done after the preparation of the questions for the examination, and then the proper preparation of the blanks, would be cler-

[* Words enclosed in brackets erased in copy with pencil.]
16—1135A

ical?" to which the U. S. attorney objected, and, the objection being sustained, an exception was noted by counsel for defendant.

Witness, continuing, said that the Stratton letter was never stopped through the mails. It was mailed at Bass, S. C., and went to Philadelphia direct and was delivered to Mr. Stratton. A preliminary fraud order was issued before and the incoming mail to Dr. Bass was being stopped. This preliminary order was issued in February, 1900. There was a number of money orders and other mail turned over to Mr. Bass between the first holding of the mail and the issuance of the final fraud order; witness did not know what became of the card referred to in the letter of Mr. Bass of Feb. 12, 1900, to the P. O. Dept.

Dr. Bass told witness that he followed the same plan followed by Court F. Wood in reference to the Civil Service Bureau.

Witness testified that Dr. Bass said he was the author of the literature hereinbefore set out in Government's Exhibit "B;" witness had no particular recollection of just what defendant said as to the statement concerning himself with the endorsements and recommendations on it.

STEPHEN W. BALTZ, a witness called on behalf of the Government, 171 testified substantially as follows, subject to the objection to the competency of his testimony that there is no allegation in the indictments connecting witness with the offenses alleged therein, and exception to his testimony was noted as in such cases hereinbefore taken.

That he resided at Annaville, Pa., and corresponded with the Civil Service Bureau of Instructions with the view of obtaining a position under the Government; that he wrote in consequence of an advertisement he saw in the Lebanon News.

Witness identified letter dated Dec. 26, 1899, as one he received through the mail from defendant; and thereupon the U. S. district attorney offered said letter in evidence; to which defendant objected upon the grounds that it was not responsive to or in anywise connected with the allegations made in the indictments, and, further, that if the mailing of said letter was an offense it was a separate, distinct, and substantive offense other than charged in the indictment; but the court overruled said objection; to which ruling an exception was noted.

Said letter was here admitted, marked Exhibit "E," and reads as follows:

"EXHIBIT E."

Bureau of Civil Service Instruction, Station F.

WASHINGTON, D. C., Dec. 26, 1899.

DEAR MR. BALTZ: Your esteemed favor received. There are 85,000 places under civil-service rules, and has been about 7,000 annual

172 appointments. Fewer persons have taken the examination the past year than ever before, notwithstanding the fact that our new possessions demand a vast increase in all departments of the Government.

The statement has been given out that in the Post-office Department alone over 1,000 additional clerks are to be appointed this winter at salaries varying from \$900 to \$1,800. Over 4,000 appointments will be made before March, and there are not enough on the eligible list to fill the places. Those who prepare first and make a good average in their examinations are sure of an appointment.

We believe that the chances of securing an appointment were never better and these chances will increase for a few months.

Our experience in the past leads us to feel that we can be of assistance to you if you desire a Government position.

If you take the examination and pass with a good average you ought not to be out of a position very long.

Realizing that within a very short time there would be a call for a large number of employees in the various departments of the Government, the Bureau of Civil Service Instruction, at its last meeting decided to reduce for a short time their course of instruction from \$26, \$27, \$28 to \$16, \$17, & \$18, as will be seen by an examination of the new registration blank enclosed. After the spring examination the old prices will prevail.

The pres. Rev. L. D. Bass, D. D., has the supervision of the work, and aided by a strong corps of instructors, arranges the different courses of study. Dr. Bass has for years been engaged in educational work and is known to the leading colleges and universities as one especially qualified for the work in this peculiar position.

We have exhausted our large catalogue containing strong testimonials, but in the absence of it I enclose a few testimonials which may serve as an endorsement, as they refer to the pres. of our Bureau of Civil Service Instruction. These unsolicited testimonials from some of the most prominent men in the United States will show the character of our bureau.

Please make remittance by registered letter, postal order, express money order or draft payable to Rev. L. D. Bass, D. D., Washington, D. C. or make the deposit with any bank of the city.

As the season is advancing I would advise you to register at once. Shall we hear from you soon?

Yours truly,

M. W. DANIEL, Sec.

Witness further testified that he received another letter from defendant dated Feb. 3, 1900, and upon receipt of which he decided to enroll with the Bureau of Civil Service Instruction. The letter referred to was handed witness, which he identified, and thereupon the U. S. attorney offered the same in evidence; to which defendant objected upon the same ground as hereinbefore set out to similar letters and correspondence, as in nowise connected with or referred to in

the indictments; but the court overruled same and an exception was noted.

The letter was then read and is herein marked Government's Exhibit "F."

174 It reads as follows:

EXHIBIT "F."

Rev. L. D. Bass, D. D., president. M. W. Daniel, A. M., secretary.

Bureau of Civil Service Instruction, Station F.

Prepares by mail for all Government examinations.

WASHINGTON, D. C., *Feb. 3rd, 1900.*

DEAR MR. BALTZ: It is now some months since we addressed you personally, thinking possibly our first letter and catalogue was mislaid. Since then in looking over our records, which is our usual custom when we desire to select those which impressed us most favorably as the ones most likely to secure a position under the civil-service rules, as the quota from their States was not filled, your name was selected.

We write today to find out, if possible, the reason why? Surely your original inquiry was inspired by a desire to secure a Government position and evidently not out of mere curiosity. Now, if you wish a position under the Civil Service Commission you should by all means make an effort at once. There is a good reason for this: Between now and March over 4,000 positions, in the various departments of the Government, are to be filled through civil-service examinations.

The statement has been given out that 1,000 clerks will be appointed in the Post-office Department at salaries ranging from \$650 to \$1,800. This is in one department alone. There seems to be a dearth in some of the departments for suitable help. We do not know why so few tried for Government positions during the past year. There never has been a more favorable opportunity to secure a Government position than just at the present time. Mrs. Nannie H. Price, has been teaching at Frederick, Md., for less than \$250. She began with us November 4th and two weeks ago secured an appointment under the civil service. She began work yesterday in the Government Printing Office at a salary of \$950, which will probably be increased soon. Mr. B. F. Perry, Greenville, S. C., was on police service, this week he secured appointment in the secret service at a salary of \$2,000. I introduced him to a few influential politicians and we got him in. I could give you twenty such instances during the past month. Our best friends are in the Government employ.

We make you this special offer, good for twenty days. The cost of course on plan "C" is \$18. Send us \$8 now, and then pay us the remaining \$10 thirty days after you secure an appointment

paying over \$900. We further agree: If you take our course and fail to get on the eligible list, we agree to return half of your registration fee, when you present certificate stating that you have failed to pass the examination. Could you ask us to do more? As evidence of good faith on our part we agree to deposit, or to let you deposit the fee in any bank of this city.

We know the civil service, and we are here where we can find out in which department vacancies are to occur; also to use our influence for you in every way possible. As the season is advancing and much may be lost by delay I would therefore advise you to register at once. Please let us hear from you without delay, in order that we may make an effort to secure others, if you do not desire to try for a position. We are anxious to get most of our students in good positions. We have a loftier mission than the mere making of money. No compensation will repay us unless our students are satisfied.

Yours truly,

L. D. BASS.

175 Witness identified certain literature, slips, and circulars as having been received by him through the mail from defendant, which are of the same character as hereinbefore set out in Exhibit "B," which was offered and admitted in evidence, subject to the same objection and exception as urged and taken heretofore in similar cases.

Upon the receipt of said letters and literature, etc., witness sent \$8.00 by registered mail to defendant, and the witness here exhibited receipt for registered letter and it was offered in evidence, subject to the same objection last aforesaid urged, and upon the further ground that it was not unlawful for defendant to use the U. S. mails in the transmission of such matter as the receipt, nor was the receipt evidence of fraud or intended fraud on the part of the defendant. The objections were overruled by the court and an exception noted.

Thereupon the receipt referred to was then read to the jury. The receipt was the ordinary registered-letter receipt prepared and used by the P. O. Dep't in connection with the registered-mail matter.

The Government offered in evidence the ordinary registry receipt, dated February 10, 1900, and signed "Rev. L. D. Bass, Mrs. L. D. Bass," and a circular and a letter that witness identified as one he received from defendant, and the same was admitted in evidence and marked Government Exhibit "F 1 & F 2," subject to the same objection and exception as heretofore interposed to the introduction of such matter as was not set out or referred to in the indictments.

176 Gov't's EXHIBIT "F 1."

Suggestions worth reading!

Three years ago we suggested to a few of our students that there was a plan by which, at very little expense, they might pay for registration in the Bureau of Civil Service Instruction, Washington, D. C. It was this:

You place in one or more of your local papers, in the "Want," or "Personal," or local columns, an advertisement such as follows. It need not cover more than a few lines, nor cost you more than a few cents.

Wanted.—The names of persons desiring good positions, paying from \$700 to \$2,500. I have something to their advantage. Address

JOHN SMITH,
Smithville, O.

The above is a sample. You can word it to suit yourself. Put in your own address. On receipt of inquiries, send them to us, and we will mail to them catalogue and particulars. We keep a record of letters you get and send in. Now a certain proportion of inquirers will register. We pay you \$3.00 for every inquirer you send that afterwards registers with us. You can try this in one or a dozen papers; or in one paper once or many times a year, and you will find that it is money in your pocket. You can soon get back your own registration fee, and then make some money out of it. You can readily get inquirers, and we will work upon these inquirers until we get at least some of them—maybe not at once, but sooner or later.

We do this because we have so few registered, and realize so thoroughly that there never has been such a favorable time to get our pupils into Government positions, and we want to get in a fair number, for each one helps us. The registration fee does not cover half of our expenses.

You can do this occasionally through the course and make money by it. Suppose you give it a trial, and then send the names or letters of inquiry to Bureau Civil Service Instruction, Washington, D. C.

Bureau of Civil Service Instruction, Station F.

WASHINGTON, D. C., Feb'y 6th, 1900.

Mr. Stephen Botz, Annville, Pa.

DEAR SIR: In reply to your favor of the 5th inst. beg to say:

1st. There is no limit as to age of applicants for civil-service positions.

2nd. As to the branches to be studied—

That will depend somewhat upon the kind of position you decide to apply for. For the clerkships in the different departments, the branches taught in the common schools about cover this ground. Our course is full and comprehensive, but having been a school teacher you would have no trouble in brushing up with the aid of our instruction and preparing yourself for getting on the eligible list with a high grade. Your business experience too will be in your favor.

Hope we may soon have the pleasure of enrolling your name.

Y'rs very truly,

L. D. BASS, *President.*
D.

178 Witness testified he wrote to the secretary, and his letter came back unopened; that he got no course of instruction, and did not get his money back.

Cross-examination :

It was admitted by Government on the record that at the time the witness wrote the letter of Feb. 21, 1900, the defendant's mail was stopped and held up by the P. O. Dep't, under a preliminary fraud order of Feb. 15, 1900, and the final order was issued by the P. O. Dep't against defendant March 4, 1900, and all mail addressed to defendant at Washington, D. C., between said dates was held up by P. O. authorities.

R. C. DOUGHTY, a witness called on behalf of the Government, testified in substance as follows:

That he lived at Saltsburg, Pa.; that he first met defendant at that place; that he was never employed by defendant; was never known as Colonel, and never authorized any one to call him Colonel.

The U. S. att'y showed printed slip containing a certificate to the witness, and he was asked what he had to say about it. Witness answered that he made no such certificate, to the best of his recollection; that he did not remember that he saw 3,950 slips in which people admitted that defendant had recommended them to places; whereupon counsel for Government offered the slip containing said certificate in evidence and asked leave to read same to jury. Counsel for defendant objected to the admission of the printed certificate on the ground that it was not the original; that the original was the best evidence, and the Government had not shown that the

original could not be produced; whereupon the court overruled the objection, and counsel for defendant noted an exception; whereupon the U. S. att'y read the certificate to the jury. The certificate is the one appearing on slip entitled, "Facts speak for themselves," and is part of Government's Exhibit "B."

Witness, continuing, said he counted slips for Dr. Bass, but did not think he did anything more than count them.

Counsel for Government then asked, "Did the defendant have a corps of professors?" Witness answered, not that he knew of. Counsel for defendant moved to strike out the question and the answer on the ground that the evidence showed that the defendant, while at Saltsburg, Pa., was not conducting the Bureau of Civil Service Instructions; that he conducted nothing but the Union Teachers' Agencies of America at that place, and the question was therefore manifestly improper and unfair to the defendant in that it tended to create the impression that defendant claimed to have a corps of professors at Saltsburg, when there was nothing in the evidence justify-

ing any such assumption. The motion was overruled by the court and an exception noted by counsel for defendant. Whereupon the U. S. attorney asked the witness the following question :

Q. "Are the contents of the affidavit to said certificate true or not?"

To which question counsel for defendant objected upon the grounds that said affidavit was that of M. W. Daniel, a witness previously called by the Government, and who testified that she made said affidavit and that it was correct, and that the question 180 sought to impeach the Government's own witness; and, further, that the said question sought to elicit from witness information which could only properly come from the affiant herself. The court overruled said objections; to which ruling counsel for defendant noted an exception.

The witness answered :

A. Part was false; that witness counted the slips, but did not remember what was on them; that he signed a certificate wherein witness stated that he counted said slips.

Cross-examination :

Witness did not remember whether he made a certificate or not. If he made a certificate, it was as to what he counted. He did not remember why Dr. Bass wanted him to count the slips. He counted them at defendant's request. He had no recollection as to the number or character of the slips or whether he ever made a certificate or not.

Redirect examination :

He does not remember signing any certificate as superintendent of the Baptist Sunday school. He only remembers counting the slips and giving them back to Dr. Bass.

The U. S. attorney then asked the witness the following question : "Mr. Doughty, you made the acquaintance of the defendant here through the fact that he was a Baptist preacher and you were a member of the Baptist church?"

To which question counsel for defendant objected on the ground that it was leading and was asked in its present form to prejudice the jury against the defendant, and the objection was overruled and counsel for defendant noted an exception.

The witness answered "Yes."

181 NELLIE CAMERON LEE, a witness called and examined on behalf of the Government, testified substantially as follows, subject to the objection heretofore urged to the competency of witness as in nowise connected with or referred to in the indictment, and exception noted to the admission of same:

That she lived at Lexington, Va., with her mother, her father

being dead; that she had two brothers and two sisters all younger than herself; that they rented their house.

The U. S. attorney then asked the following question: "You say your father is dead?"

To which counsel for defendant objected on the ground that the district attorney was emphasizing that fact, thereby injecting sentiment into the case. The court overruled the objection and permitted witness to answer, and defendant's counsel noted an exception.

Witness replied, "Yes."

That witness corresponded with the Union Teachers' Agency; that she joined the agency because she thought she would be more likely to secure a position, as it was late in the season when she decided to teach; that witness answered an advertisement and the agency sent her a circular. The agency also sent her a blank to fill out to join, and perhaps one or two other papers. That witness further testified that she sent \$3.00 to Rev. L. D. Bass, manager of the Teachers' Agency, and that she afterwards received a letter from him showing vacancies; that she afterwards got another letter from him enclosing five slips with the names of schools and location of same and instructions as to whom she should apply.

182 Whereupon counsel for the Government asked witness the following questions:

Q. You got these slips through the mails? Look at them and see (handing slips to witness).

A. "Yes."

Q. Did you ever get a school on those?

Whereupon counsel for defendant objected to the question and to the method of examination of said witness and said:

Mr. DOUGLASS: "That is subject to the special objection about going into the question of the vacancies and contents of replies;" and

Counsel for the defendant further urged that no further examination of this witness be permitted with respect to the contents of letters she wrote and of the replies she received from the people to whom she wrote; that such evidence was entirely inadmissible upon the ground that it was secondary evidence, and no evidence had been given that the original letters that witness wrote were addressed to or the replies she received were from the parties to whom she had been referred by defendant, or whether the correspondence had been lost or destroyed; but the court overruled said objections; to which ruling of the court defendant noted an exception.

A. I wrote to the different schools—

And thereupon the court propounded the following questions upon the subject just referred to, and the witness gave the following answers:

By the COURT:

Q. What did you find out about those slips?

183 A. I think the three positions I applied for regularly, and those three wrote that there was no vacancy in the school, or had no vacancy, or something to that effect.

Whereupon counsel for defendant said:

Mr. FULTON: I don't think the court wanted her to state the contents of the replies.

To which inquiry of counsel the court did not reply, but the U.S. attorney said:

By Mr. TAYLOR:

Q. You wrote and got no school?

A. No.

Thereupon the court propounded the following questions and answers were asked and given:

By the COURT:

Q. How many of those slips did you get?

A. I think, five.

Q. What did you hear from the other two?

A. I think the one from Shelbyville, Ohio, came back in the Dead Letter Office and the other was Chestnut school, Washington, D. C., and the other said there was no such school.

Q. In Washington?

A. Yes.

Whereupon the U. S. attorney said:

By Mr. TAYLOR: I offer notices in evidence, and I want to call special attention to this Chestnut Street school.

And thereupon counsel for defendant moved the court to strike out the testimony given as aforesaid by said witness for the reason herein before recited, and the following occurred:

184 By Mr. TAYLOR: Do you want it stricken out that she is a Lee from Va.?

By the COURT: Let the answer stand.

Whereupon to the overruling by the court of the said motion counsel for the defendant then and there noted an exception.

The notices offered in evidence by the Government to which objection was made and exception taken, as hereinbefore recited, are of the same character as set out in blank form of Government Exhibit "A," and showed the following additional information: (1) "Teacher, 8th grade, Crew Street school, Atlanta, Ga.;" (2) "1st ass't, High school, Ellis-vill, Miss.;" (3) "Ass't principal, Shelby pub. school, Shelby, Ohio;" (4) "Teacher, pub. school, Chestnut street, Washington, D. C.;" (5) "Teacher, pub. school, Hagerstown, Md."

Thereupon the U. S. attorney propounded the following question :

Q. I want you to state to the court and jury how you got an answer when you wrote to the Chestnut Street school, Washington, D. C.

A. I got an answer from the president of the board of education of Washington, and I think he wrote something like this: "I am not aware there is such a school."

Whereupon counsel for defendant interrupted the said witness and said that the witness is answering as to the contents of a letter she received.

Whereupon counsel for Government handed to witness a letter and asked her if she received that; to which witness replied :

"I think that is the letter."

185 Counsel for the Government thereupon offered said letter and two other letters in evidence, to be read to the jury.

Whereupon counsel for defendant objected to the introduction in evidence of said letters for the reasons that the said letters had not been sufficiently identified nor their authenticity sufficiently proved, and on the other grounds hereinbefore urged with respect to the admissibility of such evidence; but the court overruled said objections of defendant and admitted the same in evidence; to which an exception was noted.

The said letters herein marked Exhibit "G 1, G 2, & G 3" are as follows :

"G 1."

Office of the school commissioners of Washington county.

HAGERSTOWN, Md., Aug. 16, 1898.

Miss Nellie Cameron Lee, Lexington, Va.:

Your application was received.

I regret to say that the position has been filled.

The agency sent no testimonials—but did send or caused to be sent applications from other persons, who had no doubt subscribed to the agency.

Yours,

GEO. C. PEARSON, *Sect.*

186

"G 2."

Office of board of education.

ATLANTA, Ga., Aug. 18, 1898.

Miss Nellie Cameron Lee, Lexington, Va.

DEAR MADAM: Your letter bearing date Aug. 13th, applying for the position of teacher of 8th grade, Chew St. school, is received. In reply, permit me to say that all vacancies in the public schools have been filled for the ensuing scholastic year.

Yours very truly,

W. F. SLATON,
Sup't Schools.
H.

“G 3.”

ELLISVILLE, MISS., Aug. 16, 1898.

Miss Nellie Lee;

Your letter of 12th to J. A. Myer was handed me by him to be answered.

Am sorry to say that all positions in our school have been filled.

Very truly, JNO. C. WOODWARD,
Sec'y Board.

187 Whereupon the district attorney asked the following questions:

Q. You teach at home for a living, do you?

A. Yes.

Q. Do you have to aid any other than yourself in the home?

A. Yes; I have to help at home. My mother has some other means.

Whereupon counsel for defendant objected to that line of examination on the ground that its object was directed towards arousing an improper sentiment against the defendant, as neither the poverty nor the wealth of the witness was material to the issues, and moved to strike out said testimony; which objections and motion the court overruled, and counsel for defendant then and there noted an exception.

Whereupon LILA ELLINGER COLEMAN was produced as a witness on behalf of the Government, and, after being sworn, testified substantially as follows, subject to the same objection heretofore urged that there is no allegation in the indictment connecting this witness and defendant's transactions or correspondence with her with the offenses alleged therein against defendant, and exception in such cases was noted:

That she corresponded with the Union Teachers' Agency, having seen its advertisement in some paper, the name of which she could not remember; that she sent three dollars to the agency, and that she received back the names of schools which she did not remember: that she did not get a position or the money back.

188 On cross-examination witness testified that she regularly registered with the agency by filling out and returning the registration blank, and identified one of said blanks as prepared and furnished applicant by the agency; that she also received letters from the agency which she had previously destroyed.

And thereupon the Government called as a witness LAURA BALL, who, being sworn, testified substantially as follows:

That she lived at Fredericksburg, Va., and had correspondence with the Bureau of Civil Service Instruction at Washington, D. C.

Whereupon counsel for defendant stated that with the court's permission and to save constant repetition of the same objection

that the defendant would enter on the record that all this class of evidence, not supported by allegations set out in the indictments, is introduced subject to the same objections as heretofore interposed, and exceptions reserved in all such cases. Whereupon court permitted counsel so to do, and stated that the count in the indictment containing the allegations connected with this witness had been stricken out.

A. That she answered an advertisement that she saw in the Presbyterian Churchman; that she got literature, etc., for enrollment in the Bureau of Civil Service Instructions and sent the fee of \$8; received some papers from defendant, some of which she sent to the post-office detective. She paid the money because defendant promised her a position. She did not get a position or money back.

That she identified certain literature shown to her by the
189 U. S. attorney as that which she received through the mail,
the said literature being of the same character as that set out
in the Government's Exhibit "B," except the Exhibit "H" herein-
after set out.

Cross-examination:

All the promises of a position made to her by defendant are in the letters or regular literature; that she considered the letters as being promises to get her a position; two letters she relied on are those of Feb. 20 and March 10, 1899, as containing the promises to get her a position.

Counsel for the Government here offered letters of Feb. 20th and March 10th, 1899, in evidence; to which defendant objected on the ground that, inasmuch as the court in the indictment which refers to this witness had been "nolleprossed" by the Government, there was no allegation in the indictment to support the evidence thus offered or that would permit its introduction as evidence; but the court overruled said objection; to which an exception was noted. Said letters were thereupon read to the jury. Both of said letters being exactly alike except as to date, for the purpose of economy only the letter dated March 10th, 1899, marked herein Government's Exhibit "H," is hereinbelow given; also another letter which witness received from defendant was offered and read in evidence, subject to same objection, and is marked Government's Exhibit "H 1."

190

GOVERNMENT'S "EXHIBIT H."

Bureau of Civil Service Instruction, 123 Fifth street northeast.

WASHINGTON, D. C., Mar. 10, 1899.

DEAR MISS BALL: Your esteemed favor received. Please find enclosed our registration blank, which gives all needed information. We have exhausted our printed matter, but I enclose some circulars,

&c., which may give you an idea of what we can and do accomplish in the way of securing positions.

Most of our registered candidates have been successful in securing positions. This reduces the available list to a very small number. Hence we guarantee to give those who register now, our personal attention until a position is secured. We, therefore, offer to register you for half the registration fee, provided you register within 30 days. This is offered on plan A, fee \$16.00, half \$8.00, the remaining \$8.00 due when position is secured. As soon as we receive your registration we will mail you a list of the kinds of examinations.

Very few persons, even members of Congress, thoroughly understand the methods of the commission, and advice of well-informed men in politics is often disastrously misleading. It would require a very large book to give the details of the Government service, such as all the positions, salaries, subjects of examinations, tables showing number of appointments to the different States, and the hundreds of offices throughout the country, the multiplicity of rules of the commission and the laws governing all classes of cases.

191 When you decide on the kind of examination you wish to take, we begin a complete course of instruction, which invariably leads to an appointment. We prepare you for one or as many examinations as are necessary in order to secure an appointment. It is to our interest to have you so well prepared that you will make a grade sufficiently high on the first examination that an appointment will be only a question of a short time.

We also see that you are not overlooked by the commission.

Do you want a position? If so, you must take the examination, and no effort should you spare to prepare in the most thorough manner, for it may be the opportunity of a lifetime.

Yours very sincerely,

L. D. BASS, *Pres.*

GOVERNMENT'S EX. "H 1."

Bureau of Civil Service Instruction, 123 Fifth street northeast.

WASHINGTON, D. C., May 15, 1899.

DEAR MADAM: We are sorry there has been any delay in forwarding instructions. The delay has been unavoidable. We enclose herewith two sets of examinations. As soon as you have answered one set return it to us and we will correct it and forward you another. If you have not already done so, apply at once to the Civil Service Commission for an application, stating which examination you wish to take.

192 Trusting you may be successful, we remain,

Yours respectfully,

BUREAU OF CIVIL SERVICE INSTRUCTION.

GRACE BURNS, a witness called and examined on behalf of the Government, testified substantially as follows, subject to the same objection and exception made and reserved on the record with respect to similar testimony :

That she lives in Washington, D. C., and had correspondence with the Union Teachers' Agency, answering an advertisement in the Washington paper. She registered with defendant in October, 1899, sending him \$3.00 and getting a receipt, which had been destroyed.

After registering she received several notices of vacancies from him, but the replies to her inquiries relative to same were so unsatisfactory she wrote asking defendant to refund her money, but he ignored it. He was to aid her in securing her a school, but the only thing he did was that he wrote her a few letters, recommending her to places ; that he sent notices of vacancies, but she got no position. He never gave her the money back, and she never got a school. The literature and letters he sent her she destroyed.

Cross-examination :

Defendant sent her several notices of vacancies. She filled out a regular registration blank, answering certain questions about herself, and signed it. It contained the terms on the back. She
193 identified one of the regular blanks the agency used for such purpose, as hereinbefore set out in Government's Exhibit "B."

Subject to the same objection and exception made and reserved on the record, the court asked the witness the following:

By the COURT:

Q. What was unsatisfactory about the answers you got?

A. They were nothing at all ; they simply told me that the places had been taken each time.

Q. There were no vacancies or supposed vacancies?

A. No.

Q. The answers you received were that the vacancies were filled?

A. Yes.

Whereupon counsel for the Government asked the following question :

By Mr. TAYLOR:

Q. " You don't mean that they were recommended or referred ? "

Whereupon counsel for defendant specially objected to said question as leading. Whereupon the court overruled said objection and directed the witness to answer ; to which exception was noted.

Witness answered, " No, sir."

The witness further testified that the defendant had referred her to several vacancies, the names and localities of which witness could not remember further than that one was somewhere in Ohio.

COURT F. WOOD, a witness called on behalf of the Government and sworn, testified substantially as follows:

194 That he resides in Washington and is a teacher of 18 years' experience; that he first heard of the defendant in 1898, when he received a letter dated Nov. 29, 1898.

Whereupon counsel for the Government offered said letter in evidence; to which counsel for defendant objected upon the grounds that it was incompetent and irrelevant for the reason that it in nowise tended to prove that the defendant unlawfully used the U. S. mail in the furtherance of fraudulent schemes as alleged in the indictment; but the court overruled said objection, and counsel for defendant noted an exception. The letter was then placed in evidence and is as follows and is herein marked Exhibit "I."

GOVERNMENT'S EXHIBIT "I." L. & C. 12, 2, '98.

PITTSBURG, PA., Nov. 29, '98.

DEAR SIR: Please let me have your best prices. I want to take civil-service examination soon, I have prices from two schools, but they are too high. Please send rates by next mail.

Yours truly,

L. D. BASS,
Saltsburg, Pa.

195 In middle of March, 1899, defendant came to witness and said a number of persons had applied to him for civil-service preparation; that he had advertised quite extensively, and had a good many answers to his advertisements; that the people who had enrolled with him were crowding him for preparation, and he wanted witness to take the matter up and prepare them for him. The next day, March 16, 1899, he brought over the letters of those who had applied and paid the tuition fee. The arrangement was that defendant was to turn over everything to witness and go out of the business. He paid witness \$50.00, which was one-half of what defendant had received; turned over his envelopes, letter-heads, printed matter, advertisements, etc., to witness. It was agreed to get a box at the post-office, and all mail to Bureau of Civil Service Instruction was to be placed in that box.

There was a written agreement, but not in regard to the box; that witness' college is "Wood's Commercial college;" that incidentally said college prepared persons for the civil service. Up to this time the defendant had no equipped establishment for preparing people for the Bureau of Civil Service Instruction. Defendant told witness he had none, and had not up to that time prepared any. Witness saw no corps of professors at defendant's house, 123 5th street N. E., which is a three-story frame house.

He did not know what became of the written contract between defendant and himself. The papers Mr. Bass gave witness were returned to the defendant. He proceeded under the contract to give

196 instructions to those whose names he had turned over to witness. One of them so instructed was Harry E. Baum, Bethel, Pa.

The district attorney then asked the witness: "What do you know of the reputation of the Union Teachers' Agency and the Bureau of Civil Service Instruction in this community?"

Counsel for defendant objected to the question on the ground that it called upon the witness to testify about a matter before it was shown that witness is competent to so testify; and, further, that if the Government was seeking to negative the idea that the Union Teachers' Agency had a wide reputation among educationers it would be incompetent to try to negative such an idea by showing what its reputation might or might not be locally; but the court overruled said objection, and counsel for defendant noted an exception, and witness answered that up to the time Dr. Bass called to see him he had never heard of the Union Teachers' Agency or the Bureau of Civil Service Instruction, when defendant told witness he was making 10 to \$1,200 per year; whereupon counsel for defendant moved to strike out the foregoing answer on the ground that it was not responsive to the question, and, the motion being overruled, an exception was noted.

Witness, continuing, said he only knew of the reputation of this institution from the indictments brought against defendant, not from any one being supplied with teachers; he did not know of any school defendant has supplied with teachers.

As to the circumstances under which he surrendered the literature of Bureau of Civil Service Instruction to Dr. Bass, he entered suit to recover it, and the court rendered judgment for one cent damages

197 and a return of the literature, and he was compelled to turn them back; witness cared nothing for the papers after he heard how it was conducted. He preferred to turn them all over. At that time they had only sent out two examinations to each pupil, with instructions to answer questions and return them to be corrected, but no more mail came to witness, except one or two pieces, all the rest being delivered to him, Bass. Some of those questions went back to Dr. Bass and he copied our questions and got some like them and went on to prepare the pupils himself.

The district attorney here offered in evidence postal card from witness addressed to Miss Laura Ball, Fredericksburg, Va.; to which objection was made by defendant upon the ground that it *that it* was not connected with the offenses alleged in the indictment, and if the mailing of said postal card was in violation of the statute it was a distinct, separate, and substantive offense by witness himself and not by defendant; and, further, that communications between the witness and a third party were inadmissible against defendant.

But the court overruled said objection; to which an exception was noted.

Said postal card was then read to the jury and is herein marked Exhibit "J" and is as follows:

WASHINGTON, D. C., April 22, 1899.

DEAR MADAM: Be sure to address all communications for the undersigned in care of box 140, station B, Washington, D. C.

Respectfully,

BUREAU OF CIVIL SERVICE
INSTRUCTION.

(On face :)

(Stamp.)

Miss LAURA BALL,

Fredericksburg, Va.

198 Witness, continuing, said:

That the sending of this postal card was part of his understanding with defendant, and in accordance with their contract, yet the mail did not come to that box.

Here the district attorney handed the witness some printed questions which had come from the possession of the defendant.

Witness, continuing, said :

That they were not the same questions, but some of them seemed to be a good deal like the ones witness sent out. The questions in arithmetic were identical with those of witness.

The district attorney then asked the witness the following question: "I will ask you now whether, in your opinion, what you have learned and know from your experience of the civil-service training whether it is possible that thousands have been trained at all in that length of time (since November, 1898), by the Bureau of Civil Service Instruction?" "I want you to assume, as you stated before, that he had no corps of professors and had, at most, such clerks as you may have found there, and I will ask you to state whether it would be possible for Mr. Bass, with his equipment, to have instructed thousands?" To which the defendant's counsel objected on the ground that it was not the subject of expert testimony, and the objection was overruled, an exception noted, and the witness answered "No."

The district attorney then asked the witness the following question, subject to the same objection and exception as the foregoing:

Q. Can you state whether such instructions as you have
199 described here would enable any applicant invariably to pass
a civil-service examination?

A. "By no means."

Witness, continuing:

He understood that up to March 16 no one had been instructed by the Bureau of Civil Service Instruction, and witness instructed not over twenty, and from these he did not get the answers back. He told witness he wanted the letters back, not for the purpose of instructing them or writing them in regard to the Civil Service Bureau, but in regard to the Paris exposition; he turned over to the defendant all the original papers that he gave him.

When he turned this business over to witness, witness thought it

was all right. Defendant said he had intended to instruct people, but the teacher was taken sick and he wanted to turn it over to witness. Defendant received only a little more than \$100 and he gave witness \$50. Witness assumed that defendant did not tell the postmaster to have mail sent to box 140. Witness did not afterwards get the mail in it. The person he (defendant) intended to take hold of the matter, and who he said was taken sick, was, according to witness' recollection, named Phillips.

Cross-examination:

Witness was educated in the public schools, Smithson college, and in the Columbian university, being a graduate of the last-named school in law. He has prepared between six hundred and seven hundred persons by correspondence for taking the civil-service examination. He had instructed between five hundred and six hundred before he first saw Dr. Bass. Wood's Commercial college is 15 years old, but the correspondence dep't was established about 1895.

200 The contract he made with Dr. Bass, under which he was to receive half and defendant half of the enrollment fees of the students who thereafter enrolled with the Bureau of Civil Service Instruction. The money was to come to witness. The contract on witness' part was made in the name of the "National Civil Service school," per his own name as manager.

Paper was here presented to witness, and he identified it as the contract referred to, and the witness said he was mistaken about the contract being in the name of the National Civil Service school.

Counsel for defendant, with consent of the district attorney, here offered as evidence copies of some of the instructions sent out by witness to defendant's pupils.

There was no controversy about the mail-box before Bass brought suit against witness, so far as witness recollects. He wrote defendant no letter; said nothing to him about it; made no complaint to the postmaster about it. There was no mail in the box. Witness sent the card to Miss Ball, directing that the mail be addressed to box 140. Witness did not remember whether he sent more than one. Before suit was instituted Dr. Bass wrote witness several letters asking for the letters he had, but witness refused to give them up. He does not know where the letters are that Dr. Bass wrote him, if not with the papers in the suit before O'Neal. Witness was willing to return the letters at the time defendant entered suit. Witness employed an attorney to resist the suit for their recovery, and was present at the trial and argument. Witness voluntarily re-201 turned them when the judgment was rendered. They were right there in his office.

The constable and Dr. Bass came to his house previously, but they did not get the letters because Mr. Bates had some of them. Witness returned other letters than those the constable took from his house on that occasion.

Witness testified that he never made statements in his literature that the examination invariably led to an appointment, or that if pupils employed him it would lead to an appointment.

By Mr. DOUGLASS:

Q. You have stated in your literature that you can secure one of them if you will let us prepare you. Did you ever state that, "That you can secure one of them if you will let us prepare you," meaning the positions under the civil service?

A. "You can secure it."

Q. "You can secure one of them if you would let us prepare you." Did you ever say in any of your literature on the subject of the Civil Service Correspondence school speaking to the applicant, or the party who wanted the position under the civil service, that "you can secure one of them if you will let us prepare you"?

The COURT: I think you ought to give the whole sentence.

Mr. DOUGLASS: I will read the whole sentence.

Mr. TAYLOR: I suggest the witness is entitled to see it.

The COURT: I think to make it sensible you better read it.

Mr. DOUGLASS: I will read it all (reading):

202 "There are about eighty-five thousand places under the classified services. As a matter of course vacancies are constantly occurring from death, resignation and removal, and new appointments are made. You can secure one of them if you will let us prepare you." That is talking to the man to whom you sent the literature. "Appointments are made from the list of those who have passed the examinations, and the one that passes the highest receives the first appointment. You will see how necessary it is to be prepared for the examinations, so that you will be at the head of the list. No congressional influence will be of service to you. The appointment is on the standard you obtain in the examination and without reference to political influence."

Q. Did you ever see that sentence or that paragraph in any of your literature?

A. I know that was in there, but I have used "can" when I ought to have used "must"—you can secure one of them instead of you may secure one of them. It is a very common mistake to use can instead of may.

Q. Do you think Dr. Bass should have used some other *one* than invariably?

A. I am not here to say what Dr. Bass ought to use.

Q. You are charitable to yourself, but not to Dr. Bass; is that your position?

A. I am willing to take that whole paragraph as it is: "The one that passes the highest receives the first appointment."

Q. Are you and Dr. Bass on friendly terms now?

203 A. Dr. Bass and myself have had no conversation for quite a long time, and still we have no special controversy.

Q. Are you on speaking terms with him? Do you speak when you pass each other?

A. No, sir; we pass by without speaking.

Witness admitted it was his literature, and explained that he had used "can" when he should have used "must" or "may."

Witness, continuing:

Dr. Bass did not mimeograph any questions or perform any work to instruct these pupils. Defendant did bring suit against witness for \$4.00; witness recollects now what it was for; they were mimeographing this work; he had to go to his place and found defendant mimeographing work for the Teachers' Agency and it was very nicely done; witness suggested that defendant do this temporarily for witness and defendant said he would do it gladly and without compensation. We were friendly at that time and there was no charge for it; afterwards the controversy came up and he brought the suit for \$4.00; there never was any suit brought against witness by his pupils to recover their money because witness did not get them positions.

The witness was then asked about the suit he brought against one Harper Bolan and whether he (Bolan) did not defend on the ground that witness failed to do what he had promised; to which the district attorney objected, and, the objection being sustained, an exception was noted by counsel for defendant.

Counsel for defendant then asked the following question:

"Did you not send out broadcast over the country a mimeo-
204 graph letter or a private letter in some form that contained
the statement that Miss Mattie Galligher had taken a course
of instruction from you and was now occupied in a lucrative position?"

To which question the district attorney objected, and, the objection being sustained, an exception was noted by counsel for defendant.

SARAH A. SPENCER, a witness called and sworn on behalf of the Government, testified substantially as follows:

That she was principal in the Spencerian business college, and has been engaged in that kind of work for forty years, and in Washington for thirty-five years.

She was familiar with the educational institutions of this community. She did not know the reputation of the Union Teachers' Agency of America; never heard of it until within a week.

Dr. Bass called on her a few days ago. He described his situation and said he had gotten into trouble by sending students to Wood's college. He asked her if she had heard of his institution or knew anything about it, and she told him not at all. He said the persons he had sent to Wood's college for instruction felt they were wronged and defrauded, and that he had been prosecuted and was on trial, and this was to be made a test case. He said his attorney had told him to come to see her and ask what she knew about his institution and her opinion of that kind of work. She testified that she replied that she would as soon board anybody across the country as to

teach them across the country without seeing them. She testified that she was well acquainted with such method and was opposed to it.

205 Cross-examination :

Her opinion given Dr. Bass was in reference to the correspondence system. She knew nothing of his school. He said the Post-office Department—a judge there—was going to make his a test case; that she did not know anything about the Wood's Commercial college; that defendant never sent teachers to her for employment.

JESSIE H. WILSON, a witness called and examined and sworn on behalf of the Government, testified substantially as follows:

That he was a member of the Washington bar, and was school trustee for eight years, from 1892 to 1900; he was chairman for several years of the Normal school committee and had a good deal to do with the placing of teachers in the public schools.

The district attorney then asked the witness the following question: "Now, I will ask you if you ever heard of an institution conducted by the Rev. L. D. Bass, D. D., or the Rev. Liston D. Bass or Prof. Bass, and designated as the Union Teachers' Agency of America; and, if so, do you know the reputation of such an institute in this community?"

To which counsel for defendant objected on the same grounds as urged to the testimony of witness Wood, and, the objection being overruled, exception was noted.

Witness answered: he does not know the reputation of the gentleman, and has no recollection of having heard of that gentleman.

Cross-examination :

206 Witness has heard of the National Civil Service school, but did not know who conducted it, and did not know anything about it; he knew nothing about the Columbian School of Correspondence, located in Washington.

FRANCIS LANE, a witness and sworn on behalf of the Government, testified substantially as follows:

That he was director of the High schools of the District of Columbia, and was familiar with the educational institutions in the District.

Whereupon the district attorney asked witness the following question:

Q. Do you know the reputation of the Union Teachers' Agency of America?

To which counsel for defendant renewed objections hereinbefore made to same kind of question asked witness Wood & Wilson, and renewed the reasons urged in support of said objection. The objec-

tion was overruled and question allowed, and defendant noted an exception.

The witness answered :

A. I have no knowledge of this institution at all.

Whereupon the district attorney asked the following question :

Q. Did this institution ever recommend any teacher to you for employment?

To which counsel for defendant objected on the ground that it is neither competent or proper evidence to be introduced, because the defendant nowhere claimed nor is it anywhere alleged that he recommended teachers to the witness for employment or referred vacancies to the witness; but the court overruled said objection, and counsel for defendant noted an exception.

207 Witness answered : "No, sir."

Cross-examination :

Witness never heard of the National Civil Service school, and did not know who conducted it; had heard of Wood's Commercial college.

JAMES R. RAINES, a witness called and sworn on behalf of the Government, testified substantially as follows, subject to same objection and exception reserved on the record with respect to witnesses connected in nowise with allegations in indictments :

That he had known defendant about two years. He called at defendant's house, Center St., last year, and had a conversation with him in his parlor relating to the Teachers' Agency. Witness asked him about positions, and thinks he said he could get witness one. Defendant gave him a vacancy in Illinois, but witness did not apply, as it was out of his line. Witness then lived in Mississippi, and was not in the room when he transacted business, and saw no corps of professors.

Witness had a further talk with him in the Metropolitan hotel. They discussed the matter of the position, and defendant had nothing to offer witness; applied for a position as military instructor, and he had no place of that kind, but gave him a vacancy to teach Latin and mathematics. Defendant told witness he had placed 3,000 teachers.

Cross-examination :

Dr. Bass frankly stated to witness that he did not have such a vacancy as witness applied for. He did not try to make witness believe he had such a vacancy, nor requested witness to pay him any money. He voluntarily gave witness a reference without charge.

Redirect examination :

In conversation here in the court-house the other day, he told witness that he had placed more teachers than Fisk. He stated the

fact that Fisk said he had placed 1,200, while he (Bass) did better than that the first year.

Cross-examination :

Fisk said he placed 1,200 teachers and had 1,200 vacancies that year, 1896, on his books. Dr. Bass said he had done better than that the first year. Witness don't think the word "per cent." was used; he might have meant per cent.

JOHN W. ROSS, a witness called and sworn on behalf of the Government, testified substantially as follows:

That he had been Commissioner of the District of Columbia for the past ten and a half years, and was a member of the school board from 1886 to 1890.

Whereupon counsel for the United States asked the following question:

Q. Did you ever hear of the existence of what is called the Union Teachers' Agency of America, conducted by the Rev. L. D. Bass, D. D., or the Rev. Liston D. Bass, in this city, did you hear of such an institution?

To which question counsel for the defendant objected upon the ground that this was an improper way of proving the reputation of said defendant or of said institution.

But the court overruled the said objection, and defendant noted an exception.

209 Witness answered:

"I never heard of that as a business institution. It was my recollection that there was an official inquiry that came to the Commissioners' office something like two years ago, but with that exception I never heard of it."

Cross-examination :

Witness testified, upon cross-examination, that he had no official connection with any school except the public schools of the District of Columbia; had had no connection with any private school except a law school, at which he was a lecturer.

CHAS. B. YOUNG, a witness called and sworn on behalf of the Government, testified substantially as follows:

That he was proprietor of the Emerson institute and had been connected with it four years; that he was familiar with educational affairs of the District.

Whereupon the U. S. district attorney asked the following question:

Q. "I will ask you if you at any time heard of a concern called the Union Teachers' Agency of America, conducted by the Rev. L. D. Bass, D. D., or the Rev. Liston D. Bass, or if you heard of such an institution in your experience."

To which question counsel for the defendant objected upon the ground that it was improper and incompetent to prove the reputation of said concern; that it was improper to prove the reputation of the defendant in the manner indicated by said question.

But the court overruled said objection, and defendant noted an exception.

210 Witness answered :

A. "I have not."

Q. "Have you ever heard of a concern called the Bureau of Civil Service Instruction, of which the Rev. L. D. Bass, D. D., was president?"

A. "I don't think I ever heard the name of Mr. Bass before this case came on at all."

Q. "And you never heard of any institution which he was connected with before this case came up."

Counsel for the defendant renewed objections on the same ground, and the court overruled the same, and the defendant noted an exception.

Witness answered :

A. "I have not."

Cross-examination :

Witness testified on cross-examination that he was a teacher at Emerson institute, and had no connection with any other institution of learning in the District of Columbia; that it was his business to be associated with and was not a part of his business to know anything about institutions of learning in said District; that he knew nothing about the National Civil Service school or the Columbia School of Correspondence.

WILLIAM T. HARRIS, called and sworn on behalf of the Government, testified substantially as follows :

The district attorney read the following from a circular theretofore offered in evidence: "In order to be within easy reach of the educational centres of the country, and to keep in direct communication with the Federal Commissioner of Education, we have located our central office at the capital of the nation, at which point we will be pleased to receive your application by return mail," and asked the witness the following question :

Q. "I want to know whether the defendant, Mr. Bass, as president of the Union Teachers' Agency, has ever had any direct communication with you at any time?"

211 A. "The only communication I have had with him, or he has had with me, was in the shape of this letter;" which is marked Exhibit "K" and is as follows :

Union Teachers' Agencies of America.

WASHINGTON, D. C., Nov. 3, 1898.

DEAR SIR: I would like to get your last report (report of Commissioner of Education).

Thanking you, I beg to remain,
Yours truly,

L. D. BASS.

P. S.—I have just moved to Washington from Saltsburg, Pa., and refer to Senator Penrose.

L. D. B.

Whereupon counsel for the Government asked the following question:

Q. "I will ask you what knowledge you ever had of the existence here in Washington of a concern known as the Union
212 Teachers' Agency of America, conducted by the Rev. L. D. Bass, D. D., as manager."

To which counsel for the defendant objected upon the ground that the witness had not testified that he had any knowledge, one way or the other, upon the subject; the question was therefore leading; and, secondly, said question was objectionable because the method adopted was an improper way to prove the reputation of either the defendant himself or the Union Teachers' Agency of America; but the court overruled the same, and the defendant noted an exception.

Witness answered:

A. "This letter is the only official or direct information I have on that subject, excepting my office has received letters of inquiry now and then regarding it and regarding its condition and respectability, and so forth, and inquiring, of course, following up the sentence in that letter or in that circular—wishing to find out from my office, supposed to be connected with it in some way, whether it is really an institute in Washington in good standing."

Q. "Then you have no knowledge as to the reputation of that concern?"

A. "No, sir."

Q. "And you never heard of it as stated?"

A. "No, sir."

Cross-examination:

Witness testified on cross-examination that he had nothing to do with filling vacancies in schools in the District of Columbia; that his office had nothing to do with that and does not get information as to those matters, except by the merest accident sometimes
213 in regard to a high position, when said office gets a request for advice. It would be no use to get information in regard to the Union Teachers' Agency.

ABRAM R. SERVEN, a witness called and sworn on behalf of the Government, testified substantially as follows:

That he is chief examiner of the U. S. Civil Service Commission, and has held that position since May 6, 1896. The commission requires each applicant who is to pass an educational examination to make a statement as to his or her education and training which fits them for passing examination. Each applicant also has to fill out a sheet called personal questions.

Whereupon counsel for the Government asked witness to mark on a blank application for examination by the Civil Service Commission the question which the applicant was required to answer with respect to his or her educational or scholastic fitness, and witness complied with the request of counsel for the U. S., and thereupon the U. S. attorney offered in evidence "these interrogatories referred to as the requirement which discloses what special preparation is made by the applicant."

Whereupon counsel for the defendant objected upon the ground that said interrogatories so marked by witness were not competent evidence for the purpose of proving the facts which they were designed to establish; the applicants themselves answering such interrogatories should be produced and testify as to whether or not they had ever taken defendant's course of instruction.

Whereupon the court overruled the said objection. The defendant noted an exception. The said marked questions were read in evidence and are as follows:

214 "State fully all the trades, professions, or other different occupations in which you have been engaged, giving the place and approximate length of service in each case and the employer's name and address?" "Give fully the extent of your education, naming the schools or institutions you have attended, stating the length of attendance at each and the course of study pursued." "Can you speak and translate any foreign language?" "If so, what language, and to what extent?" "What courses of study have you pursued or special preparation have you made for the examination you have just taken?"

Witness further testified that all blanks have to be filled up and sworn to. No applicant can become eligible to appointment until he has answered all the questions.

The District attorney here asked the witness the following question: "Suppose a man did prepare and took a special course in any particular college—, to illustrate, the Bureau of Civil Service Instruction at Washington, D. C. Suppose a man had taken a special course in the civil-service instruction conducted by the Rev. L. D. Bass, D. D., do I understand you to say that the question would be required to be answered so as to disclose that fact?" To which counsel for defendant objected on the ground that the blank speaks for itself, and the court said: "I think he can give an interpretation of the commission," and overruled said objection. Counsel for defendant noted an exception.

Witness answered: "Yes."

Q. You state it would?

215 A. Yes, I said it would. The commission, under the civil-service rules, has authority from the President to require any certain information they demand.

By Mr. TAYLOR: "The court will take judicial notice of the civil service."

By Mr. DOUGLASS: "I object to the answer and move to strike it out."

Whereupon the U. S. attorney asked the following question:

Q. "I want to know whether you ever caused or directed the employees of your office to examine the papers on file in the office of the Civil Service Commission of persons who passed different kinds of examinations, scholastic examinations, with the view of ascertaining anything in regard to those different papers?"

To which counsel for defendant objected upon the ground that it is wholly immaterial what he directed his employees to do; that it was hearsay evidence and had nothing whatever to do with this case.

But the court overruled said objection, and counsel for defendant noted an exception.

Witness answered that he directed certain employees of the commission to examine the papers of all persons who have become eligible, or, in other words, who have passed the educational examination of the commission since Nov. 1, 1898, to the present time.

Whereupon the U. S. attorney asked the following questions:

Q. I will ask you with what result, in respect to persons being qualified or prepared for their examination by the Civil Service Bureau of Instruction, Washington, D. C., conducted by the Rev.

L. D. Bass, D. D., as president.

216 To which counsel for defendant objected upon the ground that the record itself is the best evidence, and witness could not answer as to the contents of what was contained in the record, no evidence having been offered to show the loss or destruction of said record.

The COURT: "I think it would be hardly competent to tell the results unless he conducted the examination himself, and if the strict rule could be applied you would have to bring the records here, and that would be — impossibility physically to do. If he had examined the records himself I would allow him to state the result."

Mr. DOUGLASS: "We would like to know why it would be impossible to bring the records here."

The COURT: "I suppose they are so many."

Mr. DOUGLASS: We are perfectly willing to shorten this case in any way. We have a number of specimens of literature, letters —

Mr. TAYLOR: I will ask the court to rule —

Mr. DOUGLASS: I don't want to make any bargain. We are perfectly willing to shorten this case, but the shortening cannot be done, with all deference, unless there is some —

The COURT: I don't know but that the burden is on you to find

evidence in this department showing which applicants were qualified by you. I don't know but what the burden is on you to show that there was no such evidence in the Civil Service Commission. I don't know whether you are disposed to shorten this case or not, but I don't think the paper will be competent and I rule in your favor.

217 Whereupon counsel for defendant said :

Mr. DOUGLASS : I desire to take an exception to your honor's comment upon the conduct of defendant's counsel, and in reference to the position announced by your honor that the burden would be upon us or upon the defendant here to prove the truth of the allegation stated in his literature.

The COURT : You have an exception.

And thereupon counsel for the U. S. asked the following question :

Q. I will ask you, to the extent you have examined, whether you have ascertained any number of students prepared for examination by the Bureau of Civil Service Instruction, conducted by the Rev. L. D. Bass ?

To which question counsel for defendant specially objected, upon the grounds hereinbefore stated to a similar question, and the court overruled the same, and defendant noted an exception.

Whereupon the examination continued :

Q. You have already stated you examined part of the papers ?

A. I have probably examined as many as five thousands of the papers.

Q. Of the examination papers concerning this period ?

A. Yes.

Whereupon counsel for the defendant again called the attention of the court to the fact that his position was that the witness had given testimony, under the ruling of the court, of matters contained in the record.

And thereupon the court said :

218 The COURT : "I will allow him to state what was the result of his personal examination of those papers in reference to this matter Mr. Taylor has inquired about."

Counsel for the U. S. made the following observation :

By Mr. TAYLOR : "I will say for the benefit of the defense that we found one person who said he was instructed by the Bureau of Civil Service Instruction of Washington, D. C., but we took the pains yesterday to prove that he was a man instructed by Mr. Wood in the name of Mr. Bass. That man has never been appointed. Perhaps the defendant will admit that paper."

Whereupon counsel for the defendant noted an exception to counsel testifying what the certain paper referred to contained or making a statement of that kind.

Witness further testified that he had eleven employees of the commission to search the record ; about 30,000 papers were examined ; it would be impracticable to bring all the papers here ; that witness had 50 people working on them to get them ready so the eleven could examine them. These eleven persons and wit-

nesses examined all the papers. Has here the papers in the case of Nannie H. Price from the records of the commission.

The district attorney then asked: "I will ask you this negative question, whether there is anything in those papers to disclose that she was instructed by the Bureau of Civil Service Instruction?" To which counsel for defendant objected; but the court overruled the objection and defendant noted an exception.

Witness answered:

219 A. No, sir; there is nothing in it to show that. In fact, her examination was taken on the 7th day of October, 1899.

By the COURT:

A. You have the original paper there she signed?

A. Yes; the card record. This is the record we are accustomed to go by.

Mr. TAYLOR: I offer these papers in evidence.

Mr. DOUGLASS: What papers are you offering?

Mr. TAYLOR: First, to show that she took the examination—the fact that she did take the examination—in the civil service, and to show the date, and to show that Mr. Bass and his Bureau of Civil Service Instruction had nothing to do with this examination.

The WITNESS: This is all. These are the official papers and this is the record on which that record is based.

The COURT: If the witness has the original papers, these are competent to be introduced.

The WITNESS: I have them right here. I would say this is the only paper I ever saw that showed any instruction by Mr. Bass or the Bureau of Civil Service Instruction.

Q. You better read the name of that. What is the school called?

A. It is in answer to that question I read some time ago.

Q. State what special preparation—

The COURT: Who is the party, first?

The WITNESS: Harvey E. Baum; residence, Bethel, Pennsylvania.

220 Papers in case of Harvey E. Baum were also introduced, which showed that in answer to the question, "State what special preparation you made, if any, for this examination?" he answered: "Instructions in the Washington Correspondence school conducted by Rev. L. D. Bass."

He passed the examination, but was never appointed, his record being too low. Miss Nannie H. Price was appointed.

It is impossible for politics to have anything to do with the action of the Civil Service Commission. Dr. Bass could have done nothing to promote the certification of Miss Price for appointment. Witness did not see how it could have been possible to do anything.

The additional employees occasioned by the American-Spanish war, Congress provided their appointment not to be under the control of the Civil Service Commission.

The district attorney read from the Briggs letter the following statement and asked whether it was true or false:

"Under the Civil Service Commission, there are over 85,000 positions filled with persons who have passed the civil-service examination. The annual appointments average about 8,000. The result of the Spanish-American war will demand an increase of, at least, 7,000 new employees. This will make, at least calculation, 15,000 places to be filled during the next eight or twelve months."

The statement that there were "15,000 to be filled during the next twelve months" is certainly false. The statement that over 8,000 were appointed under the civil service annually is also very wide of the truth. The annual appointments were much less than that until the last two fiscal years. It hadn't averaged near that.

221 Persons appointed from the scholastic examinations of the commission constitute about 60 % of all appointments.

Whereupon counsel for the U. S. asked the witness the following questions:

Q. Now, I want to limit the proportion in this question to the appointments which were made from scholastic examinations. I want you in your answer to limit yourself to those that are made from scholastic examinations and what proportion of those of the whole number are of that class.

By Mr. FULTON: I object to counsel instructing the witness how he shall answer before the question is put.

By Mr. TAYLOR: I am merely directing his attention to the proportion.

The COURT: The question is proper.

By Mr. FULTON: We note an exception.

And the witness answered: From the scholastic examination of the commission he should say that it would average about 60 % of all appointments made through some more or less scholastic tests as a part of the examination.

By Mr. DOUGLASS: Is there not a record in your department giving all this data?

WITNESS: I have one specially made up here.

Q. Isn't there a record?

A. Which I made up from our statistics?

Q. The annual compilation of the Civil Service Commission gives all that data?

A. It contains it if you stop to pick it out and put it together. That is what I did; that is what I have here.

By Mr. TAYLOR:

Q. You have that compiled?

22 A. Yes.

Whereupon counsel for U. S. offered said compilation which witness testified is the result of the record in evidence.

The WITNESS: That is the number of people appointed from examinations that had no scholastic part in it (indicating).

Q. Those outside of scholastic tests?

A. Yes; and the total is on the outside margin in the column for each of the last two years.

By the COURT:

Q. You did that work (compilation from the original record) yourself?

A. Yes; I dictated it to a typewriter. He wrote it out.

Whereupon counsel for defendant objected to the introduction in evidence of said compilation and moved to strike out the answers of the witness as to what was the result of his examination in the annual reports.

The COURT: This was made personally by the examiner?

Whereupon the court overruled said objection, and defendant noted an exception.

By Mr. TAYLOR:

Q. What is the paper you have before you?

A. Extracts from statistical reports. The following number of persons were appointed through non-educational examinations in the services following during the year ending June 30th, 1900.

Q. And you personally compiled that from the record of the Bureau of Civil Service Commission?

223 A. I did it from records in my own office.

Whereupon counsel for defendant specially objected to that portion of the statement relative to the number of persons examined in the fiscal year ending June 30th, 1900, when defendant's letter was written in September, 1899.

WITNESS: I put both these in here the year before and the year after, so there can be no mistake.

Whereupon counsel for defendant specially objected to testimony showing the situation after defendant's letter was written as to the fiscal year succeeding that or any other fiscal year after date of defendant's letter; it can throw no light upon the issue.

Q. Read the paper and see what it is.

A. "Extracts from statistical reports. The following number of persons were appointed through non-educational examinations in the services following, during the year ended June 30th, 1900 (the witness reading): Engineer department at large, 1,550; ordinance 189; Light-house Service, 179; Life-saving Service, 296; Marine Hospital Service, 273; Government Hospital for the Insane, 82; Custodian Service and Miscellaneous, 366; Indian Service, 124. Total 3,059 out of 9,887." That is the total number appointed from all examinations everywhere during year ended June 30th, 1900.

Q. Including non-scholastic appointments?

A. Yes. Of those 3,059 were non-educational. For the year

ending June 30th, 1899 (reading): Engineer department, 2,067; ordnance, 766; light-house, 342; Life-saving Service, 247; Marine Hospital, 181; other miscellaneous services, approximately, 224 600. Total, 4,203 out of 9,557—that is, during the year ending

June 30th, 1899, 9,557 persons were appointed from all kind of examinations in all parts of the civil service, and of those 4,203 were from examinations that contained no educational or scholastic tests whatever.

Mr. DOUGLASS: If your honor admits that in evidence we make the specific objection about the year 1900.

The COURT: A part of 1900 is covered by the time in that letter. It may cover the current year. That letter was written in September, 1899, and whether that referred to the year that ended June 30th or whether it referred to the current year does not seem plain from the letter, but I think it is competent.

Mr. DOUGLASS: I note an exception.

Q. When did the fiscal year for 1899 end?

A. On the 30th day of June, 1899.

Q. When did the fiscal year for 1900 begin?

A. On the 1st day of July, 1899.

Q. Now, then, is not this number to be reduced still further by the proportion of the examinations requiring years of training and practical experience to enable one to pass?

A. The number of persons appointed from examinations which are purely scholastic or educational would be very much less than the number that is given here, for the reason that in addition to scholastic tests there are many examinations which require, for instance, a preliminary course of longer or shorter terms, usually four years, in different educational institutions. Many of those,

especially professional and scientific and law examinations, 225 no one is admitted to a law examination until he is admitted

to the bar. In medicine no one is admitted to this until he has shown that he has graduated from a reputable medical school and either is a graduate or will be a graduate by the time of examination, and there are many other examinations of that character which require special training and special experience prior to getting into the examination, and those periods extend from three to five years of preliminary training work before they can be admitted to examinations.

Q. What have you to say as to this expression, that passing the civil-service examination invariably leads to an appointment?

A. I should say there are probably a couple of hundreds of thousands of people in the United States who would like to believe it, because it does not follow that if you pass you are appointed.

Q. Is it true?

A. It is very far from being true. It is almost absolutely false.

Q. What do you say about this: "Those who prepare first and make good average in their examination will be sure of an appointment"?

A. That is misleading, to say the least. If they make the best average even then they sometimes are not appointed.

Q. Is there any such thing as being sure of an appointment by passing the civil-service examination?

A. No, sir; absolutely no. The figures show that only one out of every four who pass get appointed. There are some examinations where probably not more than one out of twenty or thirty 226 who pass ever get appointed. It depends on the examination a great deal and on the kind of examination and what their qualifications are.

Q. I want to ask you whether the knowledge you possess will enable you to say whether this is correct or not. I will read to you from a letter from Mr. Bass, dated December 30th, 1899, the Strattan letter. This is December 30th: "Between now and March over four thousand positions in the various departments of the Government are to be filled through civil-service examinations."

A. In the light of the history of that period it is not true, and it was not true, because they were not filled during that period.

Q. I will ask you at this time, December 30th, what the fact is, if you know, as to whether there was a great dearth in any of the departments of suitable help.

A. If there was they did not give any information of it to the Civil Service Bureau. We had probably twenty thousand people on the eligible list anxious to do the work and they did not get it.

Q. What is the custom about certifying people?

A. We were only too glad to get a chance to certify them and cut down the list somewhat.

Q. Taking December 30th, 1899, I will ask you whether you know the truth of this statement, which is to the effect "We don't know why so few tried for Government positions during the past year," December 30th, 1899. What is your knowledge on that subject—whether few or many people applied?

A. I think during that preceding fiscal year we examined more people than the commission did before in any one year. I 227 think that was the largest number of applicants the commission ever had in any one year. It was either the largest or next to the largest.

Q. I believe you answered that political influence does not control the administration of your office. I will ask you if any kind of influence, ministerial or theological influence of any kind, controls.

A. No kind of influence but the influence of good answers put in their papers and the values that are given to their answers. Those values are what absolutely controls there, and nothing else.

Whereupon the U.S. district attorney asked witness the following questions:

Q. "I will ask you what you have to say, from what you know as a civil-service examiner—that is, from your knowledge and official position and connection with that office, and of educational institutions—whether this alleged Bureau of Civil Service Instruction, of the Rev. L. D. Bass, has unusual facilities over other institutions for

instruction or assisting persons for examinations and appointments to the Government service through the civil service."

To which counsel for the defendant objected on the grounds that the witness had not shown his competency to testify upon the subject.

But the court overrules said objection and said:

The COURT: He can only state what his knowledge is.

To which ruling counsel for the defendant noted an exception.

Whereupon counsel for the U. S. asked the following question:

Q. I ask you this, did the concern—between November,
228 1898, and up to the present time, in this city—called the Bureau of Civil Service Instruction, conducted by one L. D. Bass, or the Rev. L. D. Bass, D. D., if you know, have superior facilities over other people for instructing people in the line of civil-service examination?

Mr. DOUGLASS: I object to that as both leading and misleading, and also as not being preceded by proper preliminary questions to ascertain whether he knew of the existence of the institution or anything about it, or knew of the existence of other institutions, or whether he could compare the one with the other.

The COURT: I think you had better ask him what he knows about such an institution.

Q. What do you know about such an institution as the Bureau of Civil Service Instruction, conducted by the Rev. L. D. Bass, D. D., A. M., Th. D., and A. F. G.?

A. As Chief examiner of the Civil Service Commission it is my business to have absolute charge of the preparation of all questions which are to be used in all civil-service examinations. It is also my duty to have charge of the furnishing of information to the public—those who ask for it—and giving it to the press and distributing it to the people who may possibly desire to take the examination—information which is prepared under my supervision of examinations which are going to be held and the dates. I very frequently see correspondence which was sent to my office by people who referred to the Bureau of Civil Service Instruction of Washington, D. C., conducted by the Rev. L. D. Bass, D. D., and in the course of investigating what those letters might refer to—they would be addressed to the Civil Service Commission and come to my office.

229 We would get mail possibly addressed in a dozen or twenty different ways, and this name was so similar to the name used by the Government Civil Service Bureau, a great many of the writers of those letters evidently assumed that what they were writing about was what was sent out by our commission; consequently letters would be addressed to us, and I think I have had two or three letters addressed to me personally—in fact, I know I have. I recollect two or three cases where men have written to me personally, asking me about this Bureau of Civil Service Instruction conducted by the Rev. L. D. Bass and wanting to know something about it;

and there was so much of that correspondence that came to my file I had necessarily to make inquiries in order to know what to do with that kind of correspondence, and whether it was meant for us or some one else, that I asked questions and asked information. Occasionally they went in what appeared to be something perhaps in the nature of what you showed me this morning. I knew as soon as they came back it was in the wrong place and I sent it to the Post-office Department and let them figure it out; and in connection with my official work in these capacities I have never seen any indication of the Bureau of Civil Service Instruction referred to having very many qualifications at all for the work of preparing people at all for civil-service examinations. They certainly have not anything unusual over any other school of instruction, giving information they could not get from the Civil Service Bureau and which a private individual could not get himself from the Civil Service Bureau—any information we have

about the preparation for examination, the scope of the
230 subject, including the general character of the questions.

This institution has no information but what we send out in thousands of announcements to private individuals all over the country every day; and in fact we publish a manual of examinations which contain- all the general information we can get printed in it, which we send out anywhere probably from sixty to one hundred thousand copies of it every year, all about the same line of information and containing sample questions, and the same character those slips show here, showing the kind of questions that will be asked each one in that examination. Our commission during the last fiscal year, through the part of the office in which I am in charge, held nearly four hundred different kinds of examinations, more than one kind for every day there is in a year, including Sundays and holidays, and in our information we give to the public we attempt to give them, just as near as anybody can get it in advance of the examination, just what subjects are going to be covered and what kind of questions they are expected to be able to answer in order to pass the examinations; and therefore this institution did not have any more facilities for knowing that than the humblest individual there is in the United States. Any one in the court-room could get the information and all the information they could get. Inside of the Civil Service Commission it would be impossible for them to get any information about the kind of questions I was going to ask in any particular kind of examination, because every one of the questions has to go to my desk to be approved and pass my inspection, or if I do not happen to be there whoever is acting in my stead when I was away, but I was there nearly every month of the year. I am there substantially all the time.

231 Whereupon counsel for the U. S. asked witness :

Q. Have you ever heard anything of this Bureau of Civil Service Instruction conducted by the Rev. L. D. Bass?

To which counsel for defendant objected upon the ground that answer to said question was improper to prove reputation ; that if admissible at all, it should not be confined to any special thing, but to the general reputation of the concern.

But the court overruled said objection, and defendant noted an exception, and witness answered :

A. The general reputation, from all the information I could get, was that the institution was unquestionably bad among those who sent their money and did not receive anything in return. I inquired at the P. O. Dep't, and understood that—

Counsel for defendant here interposed the same objection to the answer and moved to strike the same out; but the court overruled said objection and motion, and defendant's counsel noted an exception thereto.

As to the expression that passing the civil-service examination invariably leads to an appointment, it does not follow that if you pass you are appointed. The statement is almost absolutely false.

As to the expression, "Those who prepare first and make good averages in their examinations will be sure of an appointment," it is misleading, to say the least. If they make the best average, then they sometimes are not appointed. There is no such thing as being sure of an appointment by passing the civil-service examination.

232 As to the statement in the Stratton letter—Dec. 30, 1899—

that "between now and March over 4,000 positions in the various departments of the Government are to be filled through the civil-service examinations," in the light of the history of that period it is not true.

As to the statement in same letter, "We don't know why so few have tried for Government positions during the past year," I think that during that preceding fiscal year we examined more people than the commission ever did before in one year. It was either the largest number or next to the largest number.

Many letters came to my office when they were intended for the Bureau of Civil Service Instruction owing to the similarity of the two addressed.

Whereupon the U. S. district attorney asked the following question:

Q. Have you ever heard anything of the reputation of the Bureau of Civil Service Instruction conducted by L. D. Bass?

Counsel for defendant objected specially to said question upon the ground that such evidence, if admissible at all, should not be with reference to any special thing or from any specific individual, but if admissible at all should be confined to the general reputation among people who have been dealing with it; and counsel for defendant further objected upon the ground that there was no allegation in the indictment to that effect; that defendant was not on trial for statements made to or by witness.

But the court overruled said objection and said to the witness :
The COURT: State what the result was as to the general reputation, without going into detail.

233 By Mr. DOUGLASS: I note an exception.

A. The general reputation, from all the information I could get was that the institution was unquestionably bad among those who sent their money and did not receive anything in return. I inquired at the Post-office Department and understood they also had—

By Mr. DOUGLASS: I make the specific objection about the Post-office Department.

Whereupon the court asked the following question :

Q. What you heard was not favorable ?

A. What I heard was not favorable. So much so, I wrote to the people who wrote to me that, apparently, from all the information I received it was not desirable—

Mr. DOUGLASS: I make objection to this testimony and suggest that the witness ought to be curbed.

This institution could get no information but what we sent out in thousands of announcements to private individuals all over the country every day. Any one in the court-room could get any information concerning the questions in advance of the examination. We sent this information out gratuitously.

Witness further testified that of his own knowledge he knew nothing about Dr. Bass' place of business. He never visited his place. He never saw him but once before this trial, and that was when he came to witness' office to complain about some of his mail coming to it instead of to him (defendant); that he was carrying on a big business and some of his mail was going somewhere else.

As to the statement "By the aid of said educational institution (Bureau of Civil Service Instruction) thousands of persons who have been its patrons have been able to take said examination 234 successfully and secure appointments in the said civil service of the United States," he did not know of but one person who ever passed the examination who said he took the instruction from Dr. Bass.

It could not be true that thousands of persons who had been patrons of Dr. Bass' bureau had been enabled to take the civil-service examinations successfully and to secure appointments.

One man who said he had been prepared for the examination by Dr. Bass and had passed it was not appointed and will never be appointed under that examination, because his eligibility has expired.

He never heard Dr. Bass pointed out by any one as a man distinguished for virtue, talent, and ability, and as being engaged in educational work.

Whereupon the following occurred :

By Mr. TAYLOR: I understand that under the objection it is

necessary to call the people who made the examination of these records.

The COURT: I think so. I don't think this man could report what somebody else told him. I don't think it would be competent.

By Mr. DOUGLASS: I am perfectly willing to do this: Waive the objection so as not to require these people to be brought here for that purpose, but I want to reserve the simple point that the record is the best evidence.

The COURT: You are willing to admit that their testimony will be that they looked through the files and found this result?

By Mr. DOUGLASS: We are willing that report should go in
235 evidence subject to our objection that the records themselves are the best evidence. We don't make the point that he had not examined the record.

By the COURT: You want to reserve the same point that his testimony is not competent, but the record is the best evidence?

By Mr. DOUGLASS: That is all.

By the COURT: If that is all, you won't have to produce the witnesses.

Whereupon the witness read the result of the examination of records as shown by the following report of clerks in the employ of the U. S. Civil Service Commission, and is as follows:

APRIL 2ND, 1901.

To Hon. A. R. Serven, chief examiner U. S. Civil Service Commission, Washington, D. C.:

We, the undersigned, employees of the U. S. Civil Service Commission, having been asked by you to examine all the papers on file in the office of said commission of persons who have passed different kinds of educational or scholastic examinations since Nov. 1st, 1898, to date, and obtained appointments therefrom, to the number of about 6,430, with a view of ascertaining the answers made by said persons to questions wherein they are required to state what training or preparation they have made for the examinations, what education they have had, schools or institutions of instruction they have attended or from which they have received training, have the honor to report that we have complied fully with such directions, and that not one of such persons states in answer to such questions that he or she received any training or instruction from or had any connection with the Bureau of Civil Service Instruction or Rev. L. D. Bass, D. D.

GEORGE S. BONNELL.
C. W. BARTLETT.

To the Honorable A. R. Serven, chief examiner U. S. Civil Service Commission, Washington, D. C.:

We, the undersigned, employees of the U. S. Civil Service Commission, having been asked by you to examine all the papers on file in the office of the said commission of persons who have passed

236 different kinds of educational or scholastic examinations since Nov. 1st, 1898, to date, and who have not received appointments therefrom, to the number of about 23,300, with a view of ascertaining the answers made by such persons, wherein they are required to state what training or preparation they have made for the examination, what education they have had, schools or institutions of instruction they have attended, or from which they have received training, have the honor to report that we have complied fully with such direction, and that not one of such persons states in answer to such questions that he or she received any training or instruction from or had any connection with the Bureau of Civil Service Instruction or Rev. L. D. Bass, D. D., with the exception of Harvey E. Baum, of Bethel, Pa., examined April 20, '99.

A. H. MILLER.
J. M. SHOEMAKER.
R. W. ROBERTS.
A. A. CLEMONS.
G. O. JAMES.
C. W. BARTLETT.
B. W. KUMLER.
C. E. MILLER.
M. F. HALLORAN.
F. A. WALKER.

Witness said when these papers were moved it took three or four teams and forty men.

On cross-examination witness said that probably 90,000 persons were employed under the Government who come under civil-service rules; about 7,000 persons were appointed for the fiscal year ending June 30, 1898; 1899 about 9,500; average, 7,000; did not know whether Spanish war added 7,000 employees to roll of employees; they had nothing to do with civil service; that appointments in census began about first of year 1899, but the Civil Service Commission had nothing to do with such appointments; they were out of classified service; had seen that about 35,000 were employed in census. Beyond the question of the applicant passing the examination and his certification for appointment, witness did not know whether political influence cut any figure or not; that the appointing officer has the right to appoint any one or three eligibles certified to him by the commission; the two rejected eligibles could be certified for appointment only three times. On June 30, 1899, the witness said there was not a dearth of eligibles, and the War and Navy Department in 1900 reported temporary appointments; that

237 between June 30, 1897, and June 30, 1899, probably 10,000 or 15,000 temporary appointments were made, who took no examination; did not know whether such appointments were political or not; that the President has the power to put a temporary appointee on the permanent list or roll, and the President provided by order of May 29, 1899, that heads of departments, if they desired, could also put temporary appointees on permanent rolls

that there had been a great many of such transfers in accordance with said order. Witness identified letter from M. S. Brewer, late pres. U. S. Civil Service Commission, dated June 9, 1900; witness stated that said letter was from person whose signature was thereto attached. On redirect examination witness further stated that there were probably 40 wagon-loads of papers on file in the office of the Civil Service Commission. About twenty-five per cent. of those appointed under the civil service require special training and education.

In the Supreme Court of the District of Columbia, Holding a Term for Criminal Court Business.

UNITED STATES
vs.
LISTON D. BASS. } Nos. 22871 & 22872.

It is hereby stipulated by the attorneys of the Government and for the defendant in the above-entitled cases that no parts of the city directories for the city of Washington for the years 1899 and 1900 shall be printed as the same were offered for the purpose of showing there appeared in said directories no address of either the defendant, Liston D. Bass, or of the Union Teachers' Agency 238 of America or Bureau of Civil Service Instruction, it being admitted that said directories contained no such addresses.

It is further stipulated by and between said attorneys that no parts of the 15th and 16th annuals of the United States Civil Service Commission shall be printed in the transcript of record, but it is distinctly understood by and between said attorneys that if any of them desire to refer to or read from said annuals or either of them in their argument in the Court of Appeals that they shall be at liberty to so do, just as though such part or parts of said annuals appeared in the transcript of said record.

FRANK E. LITTLE was recalled by the Government to further identify certain papers included in Government Exhibit "B," and which were read to jury.

Cross-examination:

Counsel for defendant showed witness a copy of "the Times," dated October 30, 1899, and called his attention to the following:

"It is probable that about 1,000 additional clerks will be taken into the Post-office Department during the winter, an increase in the force will be made in the bureau now being prepared by the Assistant Postmaster General, Mr. Heath." And it is identified as the article referred to by the witness in his examination-in-chief, and was considered at the fraud-order hearing, and same was now offered and admitted in evidence.

Witness testified that defendant left with the assistant attorney general, Barrett, for Post-office Department, a large quantity of filled-out registration blanks, receipts of

notices of vacancies, filled-out blanks bearing upon question of existing vacancies, and numerous letters which the defendant said he received from registered teachers, etc. Witness did not personally inspect said papers, but admitted that the defendant said that the papers and literature so exhibited by him were of the character aforesaid.

Whereupon counsel for defendant asked the witness if the defendant, in the same conversation at the Post-office Department, did not state to him or in his presence to said Attorney General Barrett that the letters which defendant had exhibited, hereinbefore referred to, were not from teachers, colleges, and universities, and also showed said letters to witness, wherein it was actually acknowledged that the writers had obtained positions through defendant's agency, and also wherein the writers commended defendant and his agency.

To which counsel for the U. S. objected, and the court stated to counsel for defendant that said counsel was going beyond the rule and was asking for the contents of letters, and counsel for defendant replied that the defendant was not asking for the contents of letters, but was seeking to elicit the whole conversation referred to by witness in his examination-in-chief and only part of which witness had given, and that the defendant, inasmuch as part of said conversation had been given, was entitled to the whole of said conversation.

But the court sustained said objection of the district attorney; whereupon the defendant noted an exception, and counsel
240 for defendant was not permitted to examine witness further upon that subject.

And the foregoing being all of the evidence offered in behalf of the Government, the U. S. attorney announced to the court that the case of the Government in chief was closed.

And thereupon the defendant called as a witness WILLIAM BONSAL, who, after being sworn, testified substantially as follows:

Rev. L. D. Bass rented 3452 Center street, Washington, D. C., from witness about September, 1899.

When Dr. Bass moved out, in December, 1900, witness found there a ton of literature, in the cellar and in the cupboard, in the dining-room and in the back yard. Witness was notified that said papers were being scattered all over the neighborhood and were a nuisance. Witness found on said premises books, ledgers, writing material, letters, and printed matter in large quantities, and thinking the defendant had left them as "truck," witness destroyed everything. There was one big wagon-load and witness burned it all day. Defendant left the house just before Christmas and witness destroyed the literature in January; that defendant had no knowledge that witness intended to destroy said papers; they were destroyed no later than sixth of January, 1901.

Cross-examination :

All the other property, including beds, pictures, stoves, mirrors, and wearing apparel, was removed from the house when defendant left. Witness had not seen him after he moved out and had no notice from him to preserve any of the papers; they were apparently abandoned. Witnesss burned them before he 241 heard of defendant being indicted or arrested. The papers in the cupboard were tied up in a bundle. Witness never knew the defendant before he rented his house. He paid the rent promptly.

MARGARET W. DANIELS, a witness called and examined on behalf of defendant, testified substantially as follows:

The witness identified certain blanks as having been prepared and sent out by defendant while she was secretary of the agency, and as having been sent through the mail by defendant to different people, who filled up and returned same through the mail to the teachers' agency.

Whereupon counsel for defendant asked the following question:

Q. "For what purpose were said blanks prepared and sent out by the agency?"

To which the U. S. attorney objected, and the court sustained said objection, and counsel for defendant noted an exception.

Witness further testified that said blanks were filled up by parties to whom the teachers' agency had sent them, and returned them in the regular course of business, through the mail, and were likewise received by the agency in the ordinary course of business, and by witness as secretary of said agency duly filed in the office of said agency.

Whereupon the counsel for defendant then showed to witness certain other papers, which witness identified as registration blanks prepared and sent out by the agency in the ordinary course of 242 business and through the mail, and which were in like manner received back by the agency properly filled up; said blanks were by her, as secretary of the agency, filed away in the office of said agency.

Witness also identified certain letters as some of the letters which were received by the agency while she was its secretary, and in the ordinary course of business and through the mail, from persons securing positions which had been referred to them by said agency.

Whereupon counsel for defendant offered said blanks which had been filled out and returned to the agency, as aforesaid, and the said letters received by the agency, as aforesaid, in evidence, and the same were admitted; and the said blanks so filled out, returned to, and received by the agency were read by the counsel for defendant to the jury. Said blanks are the same as the two exhibits of Government marked Exhibit "B."

And, counsel for defendant attempted to likewise read the aforesaid letters likewise admitted in evidence, but the court said:

"The letters were admitted in evidence for the purpose of throwing light upon the scheme of the defendant and as to what he did

in connection therewith, but as they are not evidence of the facts therein stated, the said letters could not be read to the jury, nor could the jury consider that they contained facts bearing upon the question of the *bona fides* of the defendant in connection with the scheme."

Whereupon counsel for defendant said :

By Mr. DOUGLASS : Your honor has permitted counsel for the Government to introduce letters from parties who have not appeared here as witnesses, and who are not parties to the prosecution, 243 as evidence tending to show the non-existence of vacancies

referred to applicant by defendant, and your honor held that such letters were admissible to show *mala fides* on the part of the defendant. Now, we submit that if such letters were admissible as evidence for such purpose, then the letters which the defendant now asks may be read to the jury, the same having been admitted in evidence, should be read as evidence tending to show the *bona fides* of the defendant.

Whereupon the court said :

By the COURT : " You can bring the people here to testify, but you cannot put in evidence what they wrote to you."

By Mr. DOUGLASS : If your honor will eliminate the letters from the other parties offered by the Government and admitted by the court as evidence tending to show the *mala fides* of defendant, we shall be content.

But the court refused so to do, and refused to permit the defendant's counsel to read said letters to the jury ; to which ruling the defendant's counsel noted an exception.

Two of the blanks first hereinbefore referred to and described, asking for information with respect to vacancies, is as herein below set out, it being stipulated that in the interest of economy that but one of said blanks be herein set out, and further stipulated that there were large quantities sent out, filled up and returned to said agency.

Said blanks is as follows:

244

Union Teachers' Agencies of America.

* * * * *

Do you know of a vacancy ?

It may be that you know of a vacancy that you do not care to apply for. It may be too high for you or it may be too low. No matter what kind it is, we have some one that will be willing to try for it. We will pay you 20 per cent. of the commission we receive for each vacancy first reported to us on one of these blanks, in case we fill the vacancy. Write for a number of these blanks and keep a supply of them on hand. By a little effort you can largely supplement your income. Please do not send notice of the same vacancy to any other agency.

Notification of Vacancy.

P. O. : Athens.

County : Athens.

State : Ohio.

Position vacant: Instructor on piano.

Number of months: ____.

Salary by month : About \$80.

If no stated salary, the school will pay about: ____.

Term begins : Sept. 13.

Religion required of teacher, if any: ____.

Lady or gentleman: Lady.

Is there a special examination ? No.

Apply to whom : J. P. Wood, Esq.

Your name: Kate Crany.

Address: Athens, Ohio.

Date : May 12, 1898.

245 Fill the blank out very carefully and mail to Union Teachers' Agency, Saltsburg, Pa.

Prof. Phillips will not resign until June. We want a lady who will command respect in her conduct and is a good teacher.

Union Teachers' Agencies, Washington, D. C.

No charge to school officers or principals for furnishing teachers.

In reporting a vacancy, please give as much as possible of the information asked for below.

Report of vacancy.

The position : Elocut. & Eng.; Grade : College.

Town : Albany ; State : Orég.

Lady or gentleman: Immaterial.

Branches : Rhet., lit., higher Eng., eloc., &c.

Amount of salary : \$500, 1st year.

Date of election : Now !

Member of what Church : Presbyterian.

Address of person to whom to make recommendation.

Name: W. H. Lee.

Town : Albany.

State : Oregon.

We shall also be glad to have information of all probable vacancies. The information will be considered as confidential, so that, in case no change is made, no harm will result to any one.

46 The following are samples of the letters relative to vacancies which were admitted in evidence, but which the court refused to allow the defendant to read to the jury, and to which ruling exception was duly taken, it being stipulated in the

interest of the economy and abbreviation of the record that many others of a like character and tenor were admitted in evidence at the same time and sought to be read to the jury by defendant's counsel:

Arkadelphia Methodist college.

* * * * *

ARKADELPHIA, ARK., April 27, 1898.

Rev. N. M. Bass, Pittsburg, Pa.

DEAR SIR: We will have a vacancy in our faculty for next year as principal of music. We want a woman of about thirty to thirty-five years who is thoroughly competent to teach piano, theory and harmony also violin. Prefer a southern woman and a Methodist.

Please recommend two who will fill the place. We want none but a first-class teacher of both piano and violin.

Respectfully yours,

C. POPE & SON.
O. C. P.

(Dictated.)

247

Fairmount college.

SULPHUR, KY., May 27, 1898.

L. D. Bass, D. D., mgr.

DEAR SIR: There is a vacancy in Fairmount college for the following position:

We require a lady teacher of about 30 years, capable of teaching high-school grades, French and elocution. She will be expected to take charge of a room in which the girls sit during school hours. The school is not large, and work not arduous. She must come well recommended, photograph necessary to engagement.

Terms: Room and board, fuel, washing and lights furnished, in president's family, and \$95.00 cash for each of two terms of nineteen weeks, with 20 % commission on tuition of all boarding pupils she may induce to attend the school.

If engagement is made through your agency, I shall claim commission from you.

Respectfully,

Applicants must address:

CLARENCE F. TURNER,
Secretary, Sulphur, Ky.

248

The Business university.

YOUNGSTOWN, OHIO, 3, 18, 1897.

Bureau of Employment for Graduates.

Rev. L. D. Bass, Saltsburg, Pa.

DEAR SIR: I am in receipt of your favor of M'ch 16th and in reply will state that we have not closed a contract with any of the parties to whom you referred us. Two of the members I thought would suit us, but as they could not begin work until June 15th and only stay through the summer months, I could not afford to employ them.

We wish to employ a steady teacher. One who would work for the interest of the institution and make himself almost a permanent fixture of our school.

Yours very truly,

E. A. HALL.

Dictated.

State of North Carolina. The Agricultural and Mechanical College for the Colored Race.

GREENSBORO, N. C., Jan'y 12, 1898.

Rev. Dr. Bass, business mgr. Afro. Union Teachers' Agencies.

DEAR SIR: I send you by this mail a copy of our catalogue. On the second page you will find four places marked thus x; can you furnish us a colored teacher for any one or all of these places?

249 An early reply will greatly oblige,

Y'r's, &c.,

JAS. B. DUDLEY, President.

WOLF CITY, TEXAS, April 14, 1898.

Prof. Homer M. Knowles, Lake Coma, Miss.

DEAR SIR: Your favor of April 11 just received. I am sorry I did not receive your letter sooner as we have already secured a teacher for our literary department, but we are still in need of a *first-class book-keeping* teacher. If you know of any such among your friends, we would be pleased to consider their application.

Yours very truly,

T. D. ROWLAND.

250 One of the other blanks hereinbefore referred to and described as registration blank is as herein below set out. For the same reasons assigned with reference to the vacancy blanks, but one is here set out in the record, it being also stipulated that there were large quantities of said blanks sent out, filled up, and returned to said agency.

Said registration blank is as follows:

[On margin, in pencil:] Yale.

Register of Union Teachers' Agencies of America.

Pittsburg, Pa.; Toronto, Can.; New Orleans, La.; New York, N. Y.; San Francisco, Cal.; Washington, D. C.; Chicago, Ill.; St. Louis, Mo.; Denver, Colo.

Applicants should use much care in filling out this form, taking pains to write plainly, with black ink, and to give clear and concise answers to all questions.

In the following list underscore twice your first choice, and once any position you would accept.

College.—President..... Prof. of FRENCH or of.....

Normal school.—Principal, instructor in FRENCH, German, and Spanish.

Private school.—*Preparatory, ladies' seminary, academy.*

Boys' school.—Principal. Yes; or teacher of anything.

Public school.—Superintendent, *principal high school*, principal graded school, *assistant in high school*, training teacher, first, second (primary), third, fourth, fifth (intermediate), sixth, seventh, and eighth (grammar), ungraded school, kindergarten. Special teacher of FRENCH, German, or Spanish.

Do not write
on this margin.
It is for our use.

251 In the following list underscore *once* every branch you can teach, TWICE every one you have taught, and THREE times those you prefer and consider yourself best fitted to teach.

Reading	<i>Civil government</i>	Voc. music, public school	Del Sarte system
Pollard sound system	<i>U. S. history</i>	Tonic sol-fa	Calisthenics
GRAMMAR	<i>General history</i>	Staff	GYMNASTICS
Geography	Political economy	Drawing, public school	Physical culture
Physical geography	my	Prang's system	Military tactics
ARITHMETIC	Social science	Free-hand	Industrial work
ALGEBRA	<i>Logic</i>	Mechanical	Wood
Geometry	<i>Mental philosophy</i>	Perspective	Iron
Trigonometry	<i>Moral</i>	Architectural drawing	Sewing
Surveying	Pedagogy	Drawing, private school	Cooking
Mechanics	Training work	Painting	Want to rent?
Calculus	LATIN	Crayoning	Want to purchase?
Engineering	GREEK	Pastel	Lutheran? No.
Physics	FRENCH x	Decorative art	Episcopalalian? No.
Chemistry	GERMAN	Needle-work	Catholic? No.
Geology	Italian	PENMANSHIP	Native German? No.
Botany	Spanish	Shorthand	Native French? No.
Zoology	Anglo-Saxon	Telegraphy	Would you go to a foreign country? No.
Physiology	[Put a cross after any of these languages you can speak freely.]	Typewriting	Astronomy
Astronomy	Piano	Book-keeping	Colored teacher? No.
Agriculture	Organ	Commercial law	Composition
Temperance	Violin	Commercial arithmetic	Rhetoric
Hygiene	Cornet	Matron	English
Composition	Banjo	Unclassified	Eng. literature
Rhetoric	Harmony	Elocution	American " "

If a graduate, of what school? Yale Do you sing at all? Yes.
college.

Of what grade is your certificate? What salary do you expect? \$2,000.
Yale college.

In what schools have you taught, and Least salary you would probably
how long in each? Betts academy; two years; have also tutored in college privately.

In what grades have you taught? Where now engaged?

Any preference as to locality? No. What is your present salary?

Are there any States in which you would not accept a position, how-
ever good? and if so, which? No. What is your age? 24. Your weight?

What church do you attend? Congregational. Your height? 5.11. Are you married? No.

Are you a member of this church? Intend to be soon. Have you good health? Very good.

Do you play the piano or organ for singing? No. Are you successful in discipline? Yes.

Do you play any other instrument? When will you be ready to take a position? Sept. 1, 1900.

No. Have you determined to leave your present position whether you get a better one or not?

If so, state — fully and clearly.

Name best schools in which you have studied. Yale college, Betts' academy, Mount Hermon school.

If you desire to be a candidate for any position as a specialist, state your special training for, and your experience in this special line. I have had special training in French, having studied it many years, spoken it, and taught it.

I hereby accept the terms of the agencies as given on the back of this form.

Sign your full name and address here: Name: Clifford J. Gleason. Date: November 16, 1899.
Address (town): 19 Sylvan Ave. State: New Haven, Conn.
Receipt sent. Telegraph address: 19 Sylvan Ave., New Haven, Conn.

252 Registration fee, \$3.00 in all of the ten offices. \$2.00 will register you in any one office, and the name of applicant will be sent to vacancies nearest the office where registered. Send with this register, by P. O. order, check, or draft, made payable to

L. D. BASS,
Manager, Saltsburg, Pa.

It would be preferable for applicants for a position to pay the \$3.00, which would entitle them to register in all the offices. All applications must be sent to the office of the examiner of applications, Saltsburg, Pa., and then the name of applicant will be sent to the other offices as desired.

Our Terms.

When an engagement is made in a school to which we refer you or send your name, you agree to pay us a commission of five per cent. on the salary for one year. Ten dollars is due at the time of accepting the position. For the balance two equal notes will be given, payable at the end of the first and second months.

The commission is charged on one year's salary, no more, no less, whatever the length of the engagement. When, however, a teacher is employed as a substitute, or to fill a temporary vacancy, seven per cent. will be charged on the salary actually received.

When board is given as a part of salary it is estimated at \$200 per year and commission charged thereon.

When engaged without a fixed salary, as in an academy supported by tuition, in whole or in part, the teacher agrees to pay \$25 (if a lady) and \$40 (if a man). For a registration outside Canada and U. S., a registration of \$5 will be charged. Eight per cent. on the salary for one year.

Candidates are required to send in an immediate reply to every notice of vacancy.

Failure to acknowledge information of vacancies does not lessen the obligation of the candidate for commission if elected to the position.

If it shall appear that a position for which the agencies have directly recommended the candidate, and which he has accepted, was previously applied for by him, and that the authorities had virtually decided on him prior to the recommendation of the agencies, no commission will be due the agencies, provided the candidate furnish the agencies such evidence of these facts as it requires. Otherwise the usual commission is due.

The registration fee is paid to cover expense of preliminary work of registering and becoming acquainted with qualifications of the candidate and is not a part of the commission, and nothing in circulars of the agencies shall be interpreted as a guarantee or assurance of a position. The agencies acts simply as an introducing medium to send the teacher notices of such openings as it may learn of directly or indirectly, which are suitable to the candidate, and to recommend him for such positions as in its judgment seems expedient and advisable.

Mail this to the office of examiner of applications, Union Teachers' Agencies, Saltsburg, Pa.

253 Part of the letters hereinbefore referred to, and which were also admitted in evidence, but which the court refused to allow the defendant to read to the jury, and to which ruling exception was duly taken, are of the character and tenor of the letters hereinafter next set out, but in the interest of economy only a few are hereto attached, it being stipulated that the defendant produced and offered to read to the jury, as aforesaid, a large number of such letters.

The sample- of said letters are as follows :

AMANDA, OHIO, 5, 19, '99.

Rev. L. D. Bass, Washington, D. C.

DEAR SIR : I received official notification yesterday that I had been elected principal of the schools at New London, Minn. Eight

months at \$60 per month. This was quick work. Will you please forward me a copy of the contract I made with you? I have mislaid the duplicate I kept.

I might use three blank contracts with good teachers here to great advantage.

My first choice of the places you sent me was Berkeley, W. Va., but I received no word as to whether my application was even received. If elected I might take that position yet. Have you heard anything in regard to it?

Very resp.,

WM. H. ALWINE.

Instead of giving notes as per contract, what % off will you give and take cash?

254 Washington Collegian, Washington college.

RISING SUN, MD., 9, 1, 1899.

The Union Teachers' Agency, Washington, D. C., Rev. L. D. Bass, D. D., bus. mang.

DEAR SIR: Your letter and circulars dated Aug. 26 to hand, and contents carefully noted.

I am at present pursuing a college course, and so, at present, am not in need of a position. I will take pleasure in handing the circulars to a friend who does desire one.

If at any future time I am in need of a position, I shall undoubtedly apply to you, as I have received the highest recommendations of your ability *from friends of mine whom you have aided*.

Thanking you for your kindness in sending me your blanks, &c., I am,

Very truly yours,

FRANC C. KIRK.

AMANDA, OHIO, 6, 13, '99.

Rev. L. D. Bass, Washington, D. C.

My DEAR SIR: Do you know anything in regard to the school at Berkeley, W. Va., where you directed me to apply?

I have made you no settlement of the fee due you from my hiring at New London, Minn. yet I have notified them of my 255 acceptance of the place but as I told you I prefer the W. Va. position.

I will however, send you the notes as soon as they notify me when the school will begin, so that I may have them fall due at end of contract months.

Very truly,

W. H. ALWIN.

MITCHELL, June 9th, 1899.

Manager Union Teachers' Agencies, Pittsburg, Pa.

DEAR SIR: My year's membership in your agencies has now expired, and I enclose stamp, so you will please return my photograph. Allow me to thank you for the position offered me through the

medium of your useful agency. Out of pure gratitude I shall of course recommend your agency to my friends.

Yours, etc., (Miss) ALICE HURLBURT,
Mitchell, Ont., Can.

256

WHITTEMORE HILL, —— 18th, 1897.

Rev. Mr. Bass.

DEAR SIR: Your favor of the 14th at hand and am glad to find you prompt think Miss Tysee will give satisfaction have written her and will be pleased to meet her at Union this week if possible, at even \$30 per month.

Yours with respect,

EGBERT WHITTEMORE,
Union, Broome Co., N. Y.

(Box 111.)

It was stipulated that the registration blanks offered in evidence by defendant and read to the jury show that teachers so registering represented that they were graduates from the following colleges: Yale, Princeton university, Brown university, Cornell university, Fisk university, Stafford university, Toronto university, Oxford university, Eng.; Bonn university, Germany; State University of Colorado, University of Chicago, University of Missouri, University of Michigan, University of Maryland, University of Pennsylvania, University of Virginia, John- Hopkins, Dickenson college, William and Mary's college, Vassar college, Cambridge, England, and H-idelburg, Germany.

257 Witness further testified that, as secretary of the Teachers' Agency, it was her duty to send to applicants the notices of vacancies.

Counsel for defendant then asked her the following question:

Q. Did you ever have any reason to doubt the accuracy of the information you received as to vacancies?

To which counsel for U. S. objected, and the court sustained said objection, and the witness was not permitted to answer; to which ruling of the court defendant noted an exception.

Whereupon counsel for defendant asked the following question:

Q. Were the vacancies, so far as you were informed, reported to the Union Teachers' Agency actual vacancies?

To which counsel for U. S. objected; which objection was sustained, and witness was not allowed to answer, and defendant noted an exception.

Whereupon counsel for defendant asked the following question:

Q. Did you ever send out a notice of a vacancy while you were secretary of the Teachers' Agency that you did not believe was based upon reliable information?

To which question U. S. attorney objected, and the court sus-

tained said objection, and witness did not answer said question ; to which ruling defendant excepted.

Whereupon counsel for defendant asked following question :

Q. Did you ever send out a single notice of a vacancy without having before you information as to the existence of such vacancy ?

258 To which question counsel for the U. S. objected, and the court sustained said objection, and the witness did not answer said question ; to which ruling counsel for defendant noted an exception.

Whereupon, after argument upon the line of examination as indicated by the foregoing questions, which were ruled out, counsel for defendant submitted that the defendant had the right to prove that he sent the notices of vacancies in absolute good faith, through his secretary, and that, apart from the question as to whether or not the vacancies actually did exist, if the defendant received notices of them from a legitimate source in the ordinary course of business and he acted upon such information and sent them to his patrons, it would tend to show good faith.

Whereupon the court said :

The COURT: You can ask her how she got the vacancy.

Question was repeated.

The WITNESS: I did not send out a single vacancy I thought was not a vacancy.

Mr. TAYLOR: I ask to have that answer stricken out.

The COURT: That answer will have to go out. It is not what you thought ; the question is what information you had.

Mr. DOUGLASS: I note an exception.

The WITNESS: The information was contained in the slips and clippings, and letters from the different presidents of colleges, and registration blanks.

The COURT: You had no other information except what was contained in the correspondence or newspaper clippings ?

A. That is all.

Q. From those clippings and the other information, obtained as set forth, you sent out those vacancies ?

259 A. I believed them to be true vacancies.

Whereupon counsel for defendant asked following question :

Q. Did you always have before you information which was reliable as to the existence of a vacancy at the time you sent notices thereof out ?

To which the U. S. attorney objected, and the court sustained said objection, and counsel for defendant noted an exception.

Cross-examination :

There were letters that brought money to Dr. Bass. She had nothing to do with the money part of the business. There were books kept in the office wherein the names of registered teachers

were entered. She did not remember whether there were ledgers or not.

MABEL ROLLINS, a witness called and sworn on behalf of the defendant, testified substantially as follows:

That she knew defendant; that she lived at Lake City, S. C.; that she attended the graded schools of Florence, S. C., the Baptist college in Greenville, Ala., and the College of Tuscaloosa, Ala.; was employed in connection to the Teachers' Agency by Dr. Bass from January to September, 1899.

Miss Margaret Daniel, Miss Mattie Owen, Miss Lola and Mattie Rutledge, Mrs. Bass, Thomas Bass, and witness were connected with the work during that period.

Her work was principally typewriting letters written by Dr. Bass and some general work. These letters were written to presidents of colleges and universities, recommending teachers for vacancies; also letters of inquiries as to vacancies in the respective schools. Thomas Bass also did a great deal of this work.

As to office equipment, there were three desks and typewriters and file cases, a roller-file case and another file case, a mimeograph stand and chairs and other things used as office furniture. In these file cases were put the jackets labeled according to the branch of study, as music, art, arithmetic, etc., and which were used for filing the registrations. Vacancies also went into the file cases. The papers, notices of vacancies, etc., were kept very systematically. Each jacket was marked and filed in the case in respect to the subject-matter that was contained in each jacket. There was a general register in which the names of all teachers who registered were kept, and there were smaller registers kept by Dr. Bass. These books were marked with certain localities, as New Orleans; another was marked Pittsburg. There were nine or ten of these.

Teachers registering for localities specially mentioned were placed in book labeled with that place. Those who paid \$3 were registered in the general register of the entire United States.

Miss Owen prepared the civil-service examination questions, or the questions sent out to those registered in the Civil Service Bureau. Dr. Bass examined them before they were sent out. They came back from the pupils, were looked over and corrected by Dr. Bass, and returned to the pupils. Miss Rutledge helped.

Witness testified that she had read many letters from universities and colleges in which Dr. Bass had calls for teachers.

261 A slip entitled "Facts speak for themselves" was handed the witness at this point and she was asked as to the certificate herebelow set out, which she identified as her certificate and stated that the facts therein contained were correct.

Cross-examination :

Witness testified that she was employed by defendant from January to September, 1899; that the registers were kept and the business as hereinbefore described by her was conducted in the home of defendant; that, in addition to the office room of said house, a small

room therein was used for storing of the literature, etc.; witness' duties, principally, was typewriting; considerable quantities of mail was received and sent out by defendant; that the letters which she counted as set out in her certificate were received in the ordinary course of business and filed away in an ordinary manner; that she saw some money orders and also registered letters received by defendant; that defendant received a great many requests from colleges for teachers; that she does not now recall the name of any particular college making such request; that the certificate made by her was correct; that she counted the number of letters as therein stated; did not remember the names of Jennie S. Betz, S. Bonner, Charlotte Frost, or any of the other witnesses who had been called on behalf of the Government, but the name of Mrs. Shepard seemed familiar, and she remembered reading some communication from Lexington, Va.; that she read the letters that are referred to in her certificate, and she counted same; she is quite certain that most of the letters were all in

262 writing, not printed or typewritten; she did not remember the coupon or receipt attached to notices of vacancy, as such papers did not come within her line of work; she remembered that some such blank was sent out for the person to sign and return to the agency; that neither Miss Price nor Miss Griffith was in the employ of defendant while she was there. Dr. Bass offered her the position of manager of Bureau of Civil Service Instruction before she left, and she expected to remain in defendant's employ when the certificate was made by her. The certificate was executed the day she left for South Carolina. She had signified her willingness to accept said position. She was in Washington at the time said certificate was made. While defendant was in S. C. during the summer of 1899 defendant conducted his correspondence with respect to Teachers' Agency and Civil Service Bureau from that point. Defendant was visiting at his home in S. C. during the summer. Up to that time she had no knowledge of complaints from any source. She did not remember how many days were consumed in reading and counting the letters referred to in her certificate, but she remembered that she was so engaged a great many days. She did the work of counting and reading said letters alone. The letters so read and counted stated that the witness thereof had secured appointments. She knew that the letters contained the facts exactly as stated in the certificate she swore to, and what she swore to in said certificate was true.

Redirect examination:

Witness read certificate over at the time before she signed it, and thoroughly understood what was contained therein, and the certificate in its present form, and as to the facts therein stated as she made it.

263 Whereupon the court asked the following question:

"Q. Many of these teachers expressed surprise in these letters at the prompt and immediate effort of the Union Teachers' Agency in securing positions for them. I want to know if any o

these letters stated that the teacher had obtained a position through the Teachers' Agency."

A. Yes; they did.

Whereupon counsel for defendant again offered to and asked to be allowed to read them to jury, said letters having heretofore been admitted in evidence.

Whereupon the court said :

By the COURT : "These letters cannot be read to the jury."

To which ruling counsel for defendant noted an exception.

Whereupon the following colloquy occurred :

"By Mr. FULTON: Is it a fact that when a reply letter comes back in the due course of mail and conduct of business to the defendant, and is recognized and identified by a witness as having actually — received in that manner, wherein the writer acknowledges that he has secured a position through the reference of the agency and wherein money is sent as part payment of the commissions due to defendant on the teacher's first year's salary, in accordance with the contract of registration, that such letters cannot be read as evidence to the jury as tending to rebut the allegations in the indictment that defendant never received positions for any one, and also tending to establish the *bona fides* of defendant?"

Whereupon the court said :

"By the COURT: You offer them in evidence to prove such facts, and, if you want to prove a fact, do you get a letter and offer it?

Would that prove the fact?"

264 "By Mr. FULTON: The Government offered letters in evidence which were received by some of the witnesses on the part of the Government, and said letters were admitted in evidence as tending to show the *mala fides* of the defendant. If those letters were competent and admissible for that purpose, then the letters here asked to be read in behalf of defendant are equally as competent and admissible as tending to show defendant's *bona fides*."

By the COURT: You cannot prove it in that way.

"By Mr. DOUGLASS: The letters are asked to be read to the jury in evidence, tending to show also the substantive fact that money was paid to the defendant in pursuance of the contract of registration."

By the COURT: "That would be the same thing."

And thereupon the court refused to allow the counsel for defendant to read said letters to the jury; to which ruling of the court the defendant, by his counsel, noted an exception.

And thereupon counsel for defendant moved the court to strike out such of the testimony of witness Serven, the chief examiner of Civil Service Commission, as related to the examination made by himself as to contents of written applications by parties who took civil-service examinations, the best evidence of said contents being the original papers; also to strike out the written statement which purported to be a report of certain clerks in the Civil Service Commission as to the result of their examination of the contents of original applications on file with said commission, on the grounds that, under the subsequent rulings of the court, such report as made by said clerks is no evidence of the substantive fact that such applicants

265 took or did not take defendant's civil-service course, and that, under the rulings of the court, the best evidence of the fact that applicants did or did not take defendant's said course would be the testimony of the parties themselves.

Counsel also moved to strike out so much of the testimony of the witnesses Mrs. Shepherd, Miss Lee, Mrs. Price, and Mrs. Whitaker as related to the contents of letters which said witnesses testified they had received from certain parties to whom they had been referred by defendant about vacancies, upon the ground that the court had excluded letters offered by defendant and received by him from parties acknowledging that such parties had obtained positions as teachers, for the reason that it would be necessary to produce the writers of such letters and prove the authenticity of same. It would be improper to admit the testimony of said witnesses, Shepherd, Lee, Price, and Whitaker, with respect to the contents of letters testified to have been received by them from persons to whom defendant had referred them, and said witness- testified that said persons wrote that there were no vacancies; that said testimony, under the ruling of the court, was incompetent and should be stricken out, first, because the writers themselves had not been produced to prove the authenticity of said letters; and, secondly, because the witnesses aforesaid had not even produced the letters, but had testified with respect to the contents thereof, without any evidence showing the loss or destruction of the said letters.

And thereupon the court overruled said motion, and defendant, by his counsel, noted an exception.

The following letter from M. S. Brewer, late president of the 266 Civil Service Commission, which had been previously identified by Mr. Serven on cross-examination, a witness produced on behalf of the Government, was here offered and admitted in evidence by the defendant:

(The letter of Mr. Brewer is as follows :)

JUNE 9TH, 1900.

Hon. James Norton, House of Representatives.

SIR : The commission acknowledges the receipt of your letter of June 7. In respect to your inquiry as to the number of persons who passed the civil-service examinations and were on the reserve list for January, 1899, in the various departments, you are informed that your inquiry is not understood. Eligible registers are not maintained for the departments separately, although appointments from some examinations are practically confined to one department, for instance, meant inspectors, stock examiners, assistant micro-co-
pists and taggers are appointed only to positions in the Bureau of Animal Industry in the Department of Agriculture.

Statistics of the number of persons who were examined and who passed or who failed and who were appointed are made up only at the end of each fiscal year, and information of these dates is submitted with the hope that it will answer your purpose.

The number of persons examined for entrance to the classified service during the fiscal year ended June 30th, 1898, was 44,782,

whom 22,263 were examined for the departmental service, 547 for the Government Printing Service, 14,891 for the Post-office Service, 4,772 for the Custom-house Service and 2,309 for the Internal-revenue Service. Promotion examinations were given to 267 862 persons and 68 persons were examined for transfer. The total number examined was 45,712 of whom 30,600 passed and 15,112 failed. The number of persons appointed was as follows: Departmental service, educational examinations not including Railway Mail and Indian Services 1,190; Railway Mail Service, 698; Indian service 212; non-educational examinations 2,336. Custom-house Service, 202; Post-office Service 2,758; Government Printing Service, 245; Internal-revenue Service 229; total 7,870.

During the fiscal year ended June 30, 1899, 48,492 persons were examined for entrance to the classified service of which number 30,374 were examined for the departmental service; 631 for the Government Printing Service; 10,509 for the Post-office Service; 6,121 for the Customs Service; and 657 for the Internal-revenue Service. The number of persons appointed was as follows: Departmental service, educational examinations, not including Railway Mail and Indian Services, 1,356; Railway Mail Service 726; Indian Service, 218; non-educational examinations, 3,724; Custom-house Service, 351, Post-office Service 2,278 Government Printing Service, 245; and Internal-revenue Service 166, total 9,066.

The number of temporary appointments made without examination under the provisions of paragraph 13 of rule VIII, from June 1, 1897 to June 30, 1899, was 6,349. This is not the actual number of persons who were employed of whom some remained in the service longer than three months, each additional period of three months or part of such period being approved as an extension and included in this number. About one-fourth of these appointments were made to mechanical positions in the different 268 ordinance establishments and were necessary on account of the increase of work due to the war with Spain. Several hundred appointments were made to positions in the Marine Hospital Service and were necessary on account of epidemics, and many others were made to minor positions, such as cooks, laundress-, etc., for which eligibles were not easily obtainable. A comparatively small per cent. of temporary appointees are now in the service and those appointed remain but for a short period.

Nearly 1,000 temporary employees who were in the service on May 29, 1899, have been decided to be eligible for permanent appointments under paragraph 15 of rule VIII, which allows the permanent appointments in the discretion of the appointing officer of persons serving under temporary appointment on the date of the approval of that paragraph. Many of these persons have not, however, yet been given permanent appointments.

Very respectfully,

M. S. BREWER, *President.*

For fuller details see the sixteenth report and manual of examinations sent herewith. The commission will be pleased to give you any further information in its power.

265 took or did not take defendant's civil-service course, and that, under the rulings of the court, the best evidence of the fact that applicants did or did not take defendant's said course would be the testimony of the parties themselves.

Counsel also moved to strike out so much of the testimony of the witnesses Mrs. Shepherd, Miss Lee, Mrs. Price, and Mrs. Whitaker as related to the contents of letters which said witnesses testified they had received from certain parties to whom they had been referred by defendant about vacancies, upon the ground that the court had excluded letters offered by defendant and received by him from parties acknowledging that such parties had obtained positions as teachers, for the reason that it would be necessary to produce the writers of such letters and prove the authenticity of same. It would be improper to admit the testimony of said witnesses, Shepherd, Lee, Price, and Whitaker, with respect to the contents of letters testified to have been received by them from persons to whom defendant had referred them, and said witness- testified that said persons wrote that there were no vacancies; that said testimony, under the ruling of the court, was incompetent and should be stricken out, first, because the writers themselves had not been produced to prove the authenticity of said letters; and, secondly, because the witnesses aforesaid had not even produced the letters, but had testified with respect to the contents thereof, without any evidence showing the loss or destruction of the said letters.

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piests and taggers are appointed only to positions in the Bureau of Animal Industry in the Department of Agriculture.

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Very respectfully,

M. S. BREWER, *President.*

For fuller details see the sixteenth report and manual of examinations sent herewith. The commission will be pleased to give you any further information in its power.

THOMAS R. BASS, a witness sworn on behalf of the defendant, testified substantially as follows:

269 That he was 18 years old. Defendant was his father. He lives at Achilles, Va., with his father. He left Washington, Dec. 21, 1900. Defendant is now pastor of the Baptist church at his home.

Witness' father left Saltsburg in 1898. He was engaged in the work of the Teachers' Agency during the last part of his stay there, having resigned his pastorate to give his entire time and attention to the agency. The office was equipped with two desks, a revolving file-case, three or four tables, typewriter stand, two typewriters, and a mimeograph stand. Miss Daniel, Mattie Rutledge, Mrs. Corson, and witness' mother assisted defendant in his work at Saltsburg. Miss Lillie Rutledge was there awhile and assisted also. Witness' work was mostly typewriting. He wrote many letters to colleges for vacancies, letters recommending teachers to colleges, and letters to teachers, and also to schools in reference to vacancies and recommending teachers therefore.

Miss Daniel had charge of the sending out of vacancies and registering the teachers as they registered, placing their names on a general register book. His mother and the others directed envelopes, folded, sealed, and got the literature ready to go out. Witness' father directed the business work of the agency.

The literature was kept in order, so that the different kinds could be readily gotten at.

That he knows R. C. Doughty. He was superintendent of the Sunday school, and witness was secretary and was familiar with Doughty's handwriting. As to the certificate made by

270 Doughty and printed in the literature of the agency, the first certificate was written by defendant and signed by Doughty, but before it could be typewritten and sent to the printer was misplaced and Mr. Doughty came up home and wrote another certificate in his own handwriting. Witness copied that one and sent it to the printer. Witness saw the second one written and copied it for the printer himself.

In connection with the Teachers' Agency in Washington, Miss Daniel, Miss Cleveland, Miss Owen, Miss Mattie and Miss Lillie Rutledge, Miss Rollins and himself worked for defendant. Miss Rollins and himself did the typewriting of the letters that the defendant wrote. Witness wrote pretty much the same kind of letters at Saltsburg, recommending teachers, writing special letters to teachers, and writing letters to colleges for vacancies.

He did not know so very much about the Civil Service Bureau. He did not have so much to do with it as the agency.

He remembers the examination questions defendant prepared and had printed and sent out to pupils enrolled with the Civil Service Bureau. The questions were answered by the pupils and returned to the defendant, who corrected and sent same back to the pupils.

Witness remembered slip entitled "Facts speak for themselves" which was sent out generally until a mistake was found in it, when the slip was suppressed by the defendant. The defendant instructed

witness to suppress it when he was leaving home. Does not remember exactly when defendant so instructed. The slips that had not been sent out when he instructed witness to suppress them 271 were put into a closet where the *waist* printed matter was kept. The only reason assigned by defendant when he instructed witness not to send out any more of these slips was that there was some mistake and that he did not want them sent out.

Cross-examination :

Miss Everling got a position at Chillicothe, Mo., and sent her commission to defendant. Witness does not know that any agency at St. Louis had anything to do with an appointment; heard of hundreds of teachers getting positions through the agency.

As to the literature that was burned up at Mt. Pleasant, only knows that two negroes with wagons were employed to move it. Defendant made arrangements when he left that he would give them the paper to sell if they would move it out, and they agreed to do so; witness reiterated statements about Doughty's certificate, but did not remember just in what the error in said certificate consisted. Witness knows nothing about offices of the Union Teachers' Agency other than the one at Saltsburg, except that witness wrote letters for defendant to the office in Chicago to a man by the name of Mason. Witness testified that large quantities of mail were received and sent out; defendant also received money, but witness didn't know how much. Witness thinks the slips "Facts speak for themselves" was suppressed after they moved to Washington; did not know anything about the burning of the papers on Center street. Once or twice defendant tried to sell all the old literature and papers, before leaving Washington, to the junk man. Witness went down once or twice to see junk man himself about selling same, after defendant had attempted to sell same.

272 Witness further testified that defendant had a lot of books with Denver, Chicago, and other cities, written thereon; on each one of said books was written the name of a city—for example, on one "Chicago," on another "Denver," etc.; that when a teacher registered and sent \$3 registration fee, that teacher's name was written in the book or register covering the section in which said teacher desired a position; if the teacher paid \$3 his name was entered for all of said sections; witness did not remember the exact number of vacancies defendant had to fill in six weeks, but did remember he had a great many to fill in said period of time, and remembered writing to them; did not remember how many places defendant secured for teachers in 1898; witness testified that he heard of hundreds of teachers getting positions through defendant's agency, but did not remember the particular locality or city in which any particular teacher obtained a position other than a Miss Everling secured on- at Chillicothe, Mo., but did not remember the year; remembered writing a receipt for the commission she paid to defendant; couldn't remember all the teachers who secured vacancies, but if he had an opportunity of refreshing his memory might recall the names of teachers scattered here and there; he remembered that

teachers were placed in Pennsylvania; that he sat at defendant's desk at nights and, having nothing else to do, read letters from teachers all over the country thanking defendant for getting them positions; he thought the slip "Facts speak for themselves" was suppressed after the transfer of agency from Saltsburg to Washington, but could not state the date of same; remembered defendant's

instructions to suppress the further sending out of said slip;
273 that defendant received and took charge of money and used same in conducting the agency, paying the clerks, etc.; witness went to South Carolina in 1890 and did not return until about June, 1900.

ANNA MATILDA BREWER, a witness sworn and introduced by and in behalf of defendant, testified substantially as follows:

That her maiden name was Mathilda Owen; was acquainted with defendant; had known him for two years; that she was employed by defendant during May and June, 1899, in writing up a course of instructions for defendant, which he wanted for use in connection with his Bureau of Civil Service Instruction; that she had had some six months' experience in similar work at the Columbian Correspondence school, located at #223 & 225 Pa. Ave. S. E., this city; that she alone prepared this course for defendant; that defendant conducted said business, at the time she was in his employ, at #123 5th St. N. E., this city; that the defendant also conducted at same place what is known as the "Union Teachers' Agency of America;" Miss F. M. Rollins and Miss M. W. Daniel assisted defendant in the work of said Teachers' Agency; Miss Daniel credited all registration blanks and sent out notices to teachers in reference to the school; Miss Rollins was a typewriter; defendant's son Thomas was also a typewriter. The defendant's office was supplied with three desks, three or four typewriters, tables, and a large file case, also two mimeographs; defendant carried on the business in a very systematic manner and the work was sent out immediately after hearing from students. There were fifteen different lessons in the course, and after witness had finished writing up the course she received the enroll-

ments of those who enrolled in said institution and im-
274 mediately thereafter sent out the lessons to such pupils; when those lessons were returned she corrected same and sent them back forthwith to the pupil from whence same had been received, and usually on the same day; defendant devoted all his time to the business and used every effort to aid those enrolling with him; he was diligent in locating vacancies of schools and prompt in referring such vacancies to those registered with his agency. The defendant sent many notices of vacancies in schools without charge to teachers who were poor and unable to pay registration fees; defendant also answered all mail promptly while witness was in his employ. Witness further said that while she was there she knew that the defendant did his work honestly.

Whereupon the defendant presented to the court a petition wherein he requested the issuance of an order by the court directing the U. S. district attorney to file all the papers and documents

offered by the Government and admitted in evidence against the defendant with the clerk of the court, and on which petition the court deferred action at the time it was presented, was again at this point called up and the court requested to act thereon.

Said petition is as follows :

In the Supreme Court of the District of Columbia, Holding a Special Term for Criminal Court Business.

UNITED STATES }
vs. } Criminal. No. —.
LISTON D. BASS. }

The petition of the defendant, Liston D. Bass, respectfully
275 shows:

1. That he is now on trial charged with having violated sections 5480 of the Revised Statutes of the United States.

2. That during the trial of said cause the United States district attorney for the District of Columbia introduced, and the same has been admitted in evidence, divers sundry documents and letters, many of which were never in the possession of your petitioner, and the contents of which are not known to him, except such imperfect knowledge as could be gotten by their reading in court and a hurried examination of them when offered in evidence.

3. Your petitioner submits that the said documents, having been introduced and admitted in evidence, as aforesaid, are part of the records of this court, and should be in the custody of the clerk of this court, but, instead of so being, they remain and are in the possession of the said United States attorney.

4. Your petitioner further avers that at the commencement of the said trial and immediately upon the filing of and the arraignment of defendant upon the indictments upon which he is being tried he moved that the said district attorney furnish particulars of demand, wherein said attorney was requested to supply petitioner with a full bill of particulars specifically setting forth what papers and documents and other records, etc., *which* the Government intended to introduce and rely upon as evidence against the petitioner at the trial of the said cause, not set out in the said indictments; which said bill of particulars has not been furnished by said attorney.

276 Your petitioner further avers that on Saturday, April 6th, 1901, your petitioner, accompanied by his counsel, called at the office of the said United States attorney and requested that he be allowed to inspect said papers introduced and admitted in evidence against him, as aforesaid, and, in compliance with said request, he was allowed by Mr. Bingham, an associate district attorney in the trial of said cause, to commence the inspection thereof, but that subsequently, and before he had completed said inspection, Assistant District Attorney Taylor came into the office, after said request had been granted by Mr. Bingham, and peremptorily commanded your petitioner to retire from the further inspection of said papers, declaring that it was manifestly unfair to the Government

for him to inspect same; that notwithstanding petitioner's counsel protested against any such treatment and denial of the petitioner's absolute right to such inspection, the said assistant attorney, Mr. Taylor, persistently urged and again peremptorily commanded this petitioner to retire from the further inspection of the said papers and documents, asserting that Mr. Bingham had made a mistake in granting such request, and that your petitioner could not inspect said papers.

6. Your petitioner further avers that to deny him of a full and careful inspection of the said papers, documents, and letters is to deprive him of the exercise of his constitutional right to know and thoroughly understand the nature of the evidence which has been admitted against him, and thereby prevent him from properly defending himself against any matters and things purporting to be contained in any of the said papers, letters, and documents,

277 and that the denial of his right to such inspection is not only absolutely unfair, unjust, and unwarranted in law, but is an attempt on the part of the said assistant district attorney, Mr. Taylor, to divest him of his constitutional right to a fair and impartial trial in this court, and, if possible, to unjustly convict him without due process of law.

Wherefore, premises considered, your petitioner prays:

1. For an order of this court, directed to the said United States district attorney, to forthwith file said papers with the clerk of this court, where this petitioner can thoroughly inspect the same.
2. For such other, further, and proper relief as the nature of the case may require and to the court seem mete and just.

L. D. BASS.

I do solemnly swear that I have read the foregoing petition by me subscribed and know the contents thereof; that the things and matters therein stated upon my own personal knowledge are true and those stated upon information and belief I believe to be true.

L. D. BASS.

Subscribed and sworn to before me this 8th day of April, A. D. 1901.

J. R. YOUNG, *Clerk*,
By F. W. SMITH, *Ass't Clerk*.

278 And thereupon the court said that the U. S. attorney is charged with certain duties under the statute in the prosecution — offenses thereunder, and is an independent officer of the Government; that he knew of no rule requiring the Government's evidence to be filed in the clerk's office, and he was not going to lay down rules to govern in the office of the U. S. attorney, but if there are any papers the defendant wants to look at here he would give him the privilege of looking at them here in open court.

Counsel for defendant submitted that under the stress of circumstances surrounding an inspection of so many documents and papers as had been admitted in evidence in this case against the defendant

in open court, it would be impossible for the defendant to make as careful and as thorough an examination and investigation as was required to enable the defendant, in justice to himself, to meet same at the trial, and that it was the defendant's right, and particularly since the U. S. district attorney had refused defendant and his counsel access to same during the recess of the court for the purpose of making such inspection, to have said papers filed with the clerk of the court, where he and his counsel could thoroughly examine and inspect them without disturbance, interference, or hindrance from any source whatever, and that since said papers had been admitted in evidence they became a part of the records of this case and were no longer under the absolute control of the U. S. district attorney, and particularly to the exclusion of defendant's right to a fair examination and inspection thereof.

And thereupon the court refused to grant defendant's request set out in his said petition; to which ruling defendant, by his 279 counsel, noted an exception, and defendant's counsel announced that under such circumstances the defendant would rest his defense then and there.

Whereupon the court said, "I am not going to order these papers filed in the case with the clerk. You can have the privilege of looking at them, and if you decline to look at them in open court I cannot help it."

Counsel for defendant then said, "Under the circumstances, we rest our defense right here."

The U. S. district attorney then said, "I tender to counsel for the defendant all the papers filed in the case, and ask the court to give them ample time to examine them in open court."

Counsel for defendant replied, "We have closed."

Rebuttal:

M. WOOLARD, a witness called and sworn on behalf of the U. S. in rebuttal, testified substantially as follows:

That she knew Anna Matilda Brewer, formerly Miss Owen. Witness was employed at the same time with her at the Columbian Correspondence school. Miss Owen examined spelling and copying and ran the mimeograph and addressed wrappers at the said school. She had nothing at all to do with the preparation of the civil-service questions.

Mrs. WM. S. NEWELL, a witness sworn in the same behalf, testified substantially as follows:

That she was employed with Miss Owen, now Anna Matilda Brewer, at the Columbian Correspondence school before May, 1899. Miss Owen performed there the duties of a clerk in the office. She addressed wrappers and also examined the spelling and copying. She prepared no civil-service course. Miss Owen, to knowledge of witness, was not very efficient. Witness had her under her only in spelling and copying. Witness didn't know anything about her in anything else.

FRANK E. LITTLE was recalled for further examination in rebuttal and was asked the following question: "I will ask you if, at any time after Christmas day or about that time, 1899, you had any conversation with the defendant here about that circular ('Facts speak for themselves')"? To this question counsel for defendant objected as not rebuttal testimony, and, further, that it in nowise contradicted witness Bass as to when defendant instructed said witness Bass to suppress the sending out of slip ("Facts speak for themselves"), and, the objection being overruled, an exception was noted.

Witness further testified that the last week in February, 1900, in conversation with defendant, his attention was called to the contradictory statement in these two certificates purporting to come from Col. Doughty, and he stated positively at that time that it was the first time his attention had ever been called to that discrepancy; that it must have been a mistake of the printer or something of the kind.

LOUISE GRIFFITH, a witness produced in the same behalf, testified substantially as follows:

That she left the employ of the defendant on the day before Christmas, 1899; never had any instruction from defendant not to send out the circular known as "Facts speak for themselves."

281 On the 25 of March, before this trial began, she had a conversation with defendant on this subject at Dr. Martha C. Burritt's, 313 Fifth street N. E.

The district attorney then asked the following question, subject to the objection and exception on the grounds that it was not in rebuttal: "What did he say to you about that circular 'Facts speak for themselves'?" She answered, "He asked me if I remembered the circular; I told him I did not. He asked me, 'Do you remember that I told you not to put this in the letters?' and I said I did not; and he looked at me and said, 'For my sake and my family's sake, will you say you do remember that I told you not to put it in?' No one was with him. He had tears in his eyes."

"This occurred after I had been subpoenaed by the Government. He asked me to come to Mr. Leckie's office the next day at 8 o'clock. I said I did not know, and he said, 'Will you promise?' I said 'No, sir,' and did not promise."

"On several occasions Dr. Bass told me to put in the circulars, 'Facts speak for themselves,' when I was mailing literature. He told me I must put this in when I asked him about the circulars."

MILLS R. HINES, a witness produced in the same behalf, testified substantially as follows:

That he knew L. D. Bass and knew him in 1900, in Center street, in Mount Pleasant; does not know whether he was carrying on any business there or not.

The district attorney handed the witness a paper, who identified the signature thereon as his, and then asked the witness the following question: "Was your signature being used by the defendant last year, 1900, for any purpose?"

282 Witness answered that his signature was being used in

connection with the American Civil Service Instruction in August, 1900; did not know where defendant was conducting business. He lived in Center street, Mount Pleasant.

Cross-examination:

Witness identified handwriting on a paper shown him as his own.

Recross-examination:

He gave his permission for his name to be used in connection with the business. Witness gave said permission to his uncle, who gave it to defendant.

And thereupon, the foregoing being substantially all of the evidence given as hereinbefore set forth and which is hereby referred to and made part hereof, the defendant prayed the court to grant the following prayers as instructions to the jury, but the court refused so to do:

II. If the jury believe that the defendant in the inception of the scheme, as described in the evidence, intended to exercise an honest endeavor to perform his part of the contract, and if they further believe from the evidence that he thereafter did undertake to do so, he is not guilty of fraudulent intent, and their verdict should be, Not guilty. The sole question for the jury to consider is the real intent of defendant in devising and operating the scheme so described. (Refused.)

IV. The jury are instructed that the practice of exaggerating about one's business is not criminal if done within reasonable bounds and without fraudulent intent; and before they can 283 convict they must be satisfied from the evidence beyond all reasonable doubt that defendant, before he used the United States mails, had formed the purpose of defrauding whoever should patronize him, and to that end and for that purpose he did use the said mails. (Refused.)

V. The jury are instructed that the sole issue in this case is whether the defendant mailed or received any matter or otherwise used the United States mails for the purpose of inducing the persons named in the indictment to part with any sum or sums of money without intending to make an honest effort to render a proper return therefor and contemplated in the contract between them and himself; that advertisements of one's business, no matter how extravagant or exaggerated, will not of themselves make out a case of fraudulent intent on the part of the defendant; and if the jury should find from the evidence that defendant intended when he used said mails, as aforesaid, or solicited through same the patronage of the persons named in the indictment to make an honest effort to render such persons the services specified in the contract made with him, then they are instructed that they should find the defendant not guilty. (Refused.)

VI. The jury are instructed that the registration blanks, as filled p. signed, and returned by the teachers who registered in the

Union Teachers' Agency of America and by those who enrolled in the Bureau of Civil Service Instruction, formed the contract between them and the defendant, and if they find from the evidence that the defendant made an honest effort to comply with the terms thereof, then he is not guilty of bad faith, and their verdict should be for
284 the defendant. (Refused.)

VII. The jury are further instructed that the sole issue in this case is whether the defendant sought to mail or received any matter or to otherwise use the said United States mail for fraudulent purposes named in the indictments ; and if they believe from the evidence that the defendant intended when he solicited patronage through said mails to make an honest effort to render such patronage the services specified in the contracts made with him, then their verdict should be not guilty. (Refused.)

In refusing to grant said prayer numbered IV, as hereinbefore set forth, the court, in the presence of the jury, said :

" I think the matter of exaggeration and false statements in these circulars is a matter for the jury, and they are entitled to infer what the intent of the defendant was if he did use false statements. I don't think this is a case of exaggeration, as this is not like a man selling clothes or goods and exaggerating the quality of clothing, and I am going to charge the jury if they find there were false statements put in those papers intentionally they may infer from that he intended to defraud people. It is a question of intent, whether or not in this scheme there was an intention to defraud ; and if they find that he did knowingly circulate falsehoods they may infer from that his intent, just as much as they might draw the intent to kill a man by the use of a deadly weapon. He must be held to tell them the truth, and if he has told them falsehoods in those circulars, thereby intending to defraud people, I think the jury would be at liberty to infer from that that he deliberately intended to defraud them."

285 To which ruling and comment of the court counsel for the defendant then and there excepted, stating : " We note an exception to your honor's statement of the law and comment on it."

To the ruling of the court in refusing to grant the foregoing prayers numbered II, IV, V, VI, and VII, respectively, as herein-before set out, counsel for the defendant then and there noted an exception before the jury retired to consider its verdict.

Prayers numbered I, III, VIII, and IX, respectively, offered by the defendant and granted by the court, are included in the general charge of the court ; which said charge is as follows :

Charge to the Jury by Justice Barnard.

Now, gentlemen of the jury, I am not going to detain you much longer, but the law devolves upon me the duty of giving you instructions as to the law which I conceive to be applicable to the case, and in beginning those instructions I will read the first prayer that I have granted for the defendant : " The jury are instructed that they cannot convict the defendant unless they are satisfied from

the evidence, beyond all reasonable doubt, that he intended to and did use the United States mails for fraudulent purposes—the gist of the offense is in the intent."

The jury are further instructed that the burden of proof is upon the Government to prove beyond all reasonable doubt that the defendant not only devised a scheme with the intent to defraud, but used the United States mails with such intent, in furtherance of such scheme.

286 "The jury are instructed that to enable them to determine the good faith on the part of the defendant in devising the schemes described in the indictments, it is proper for them to consider all the facts and circumstances surrounding the inception and conduct of said schemes, such as the establishing and equipping of an office, the preparation of suitable blanks for securing information relative to vacancies and referring same to teachers registered with him, the employment of competent help to carry on said business, and all other facts and circumstances and evidence showing or tending to show an honest endeavor upon the part of defendant to perform his part of the contract between himself and his patrons."

Of course the converse of that is equally true. You are to use all that testimony to determine whether or not his purpose was honest or whether it was a fraudulent one. Then the last prayer I granted was this: "The jury are instructed that if they should find from the evidence that the defendant's business was not devised and established for the purpose of defrauding, then the use of the United States mails by the defendant is and was not unlawful, and their verdict should be 'Not guilty.'"

Now, the instruction will be very fragmentary if I simply confine it to those prayers. While they are proper statements of law applicable to the case, still they are not all the law that applies to the case, and in order that you may get a proper understanding of what the law is and what you could do under the law, I mean to read you an abstract of the statute first: "If any person having devised,

or intending to devise, any scheme or artifice to defraud, to
287 be effected by either opening or intending to open correspondence or communication with any person either a resident within or outside of the United States, by means of the post-office establishment of the United States, or by inciting such person or any person to open communication with the person so devising or intending, shall, in and for execution such scheme or artifice, or attempting so to do, place or caused to be placed, any letter in the Post-office of the United States, or shall take or receive any such herefrom, such person so misusing the post-office establishment, shall upon conviction, &c."

Now, the language of the act is plainly set forth, but the meaning of the act may not be plain to you on reading the act simply. It has been construed by the Supreme Court of the United States in several cases, and by that court it has been construed to mean that every letter or packet put into the post-office or taken from the post-office, in furtherance of such a scheme or which the party thinks may assist in carrying such a scheme into effect, although in the

judgment of the jury they may be absolutely ineffective to further the same, constitutes a separate and distinct violation of the act.

Again, the character of the scheme which is meant in the act has been well defined by said court. The language is: "Any scheme or artifice to defraud." It was contended in the case of *Durland v. The United States*, 161 U. S., 312, that a false pretense in respect to the offense under this act should be defined, as it was under the common law, to be the misrepresentation of an existing or past fact

and not of a mere intention not to carry out a contract in the
288 future. In disposing of that contention, Mr. Justice Brewer

uses the following language, which I read to aid you in determining whether or not the schemes in this case come within the meaning of the statute; and I read from page 313 of the 161st United States Reports. After stating the contention of counsel the court goes on in this language: "We cannot agree with counsel. The statute is broader than is claimed. Its letter shows this: 'Any scheme or artifice to defraud.' Some schemes may be promoted through mere representations and promises as to the future, yet are none the less schemes and artifices to defraud. Punishment because of the fraudulent purpose is no new thing. As stated by Mr. Justice Brown in *Evans vs. United States*, 153 U. S., 584, 592: 'If a person buy goods on credit in good faith, knowing that he is unable to pay for them at the time, but believing that he will be able to pay for them at the maturity of the bill, he is guilty of no offence, even if he be disappointed in making such payment. But if he purchases them knowing that he will not be able to pay for them, and with an intent to cheat the vendor, this is a plain fraud, and made punishable as such by statutes in many of the States.'"

That is the end of the quotation from Justice Brown's opinion, and Justice Brewer proceeds:

"But beyond the letter of the statute," referring to this statute, "is the evil sought to be remedied, which is always significant in determining the meaning. It is common knowledge that nothing is more alluring than the expectation of receiving large returns on small investments. Eagerness to take the chances of large gains lies at the foundation of all lottery schemes, and even when

the matter of chance is eliminated, any scheme or plan
289 which holds out the prospect of receiving more than is

parted with, appeals to the cupidity of all. In the light of this the statute must be read, and so read it includes everything designed to defraud by representations as to the past or present or suggestions and promises as to the future. The significant fact is the intent and purpose. The question presented by this indictment to the jury was not, as counsel insists, whether the business scheme suggested in this bond was practicable or not. If the testimony had shown that this Provident Company," speaking of the case in hand, "and the defendant, as its president, had entered in good faith upon that business, believing that out of the moneys received they could by investment or otherwise make enough to justify the promised returns, no conviction could be sustained,

matter how visionary might seem the scheme. The charge is that in putting forth this scheme it was not the intent of the defendant to make an honest effort for its success, but that he resorted to this form and pretense of a bond without a thought that he or the company would ever make good its promises. It was with the purpose of protecting the public against all such intentional efforts to despoil, and to prevent the post-office from being used to carry them into effect, that this statute was passed; and it would strip it of value to confine it to such cases as disclose an actual misrepresentation as to some existing fact, and exclude those in which is only the allurement of a specious and glittering promise. This, which is the principal contention of counsel, must be overruled."

290 Now, then, I will come a little nearer to the case in hand.

There are two indictments here, as you understood from the start, and they have been consolidated and brought together as one case; the one indictment in regard to the Civil Service Bureau of Instruction and the other in reference to the Teachers' Agency. The charge in the indictment 22871 is that the defendant did, on November 8th, 1898, in the District of Columbia, devise a scheme and artifice to get money by divers deceitful arts, stratagems, and false pretences and representations from persons residing elsewhere, who might desire to qualify themselves for positions in the civil service, and without rendering for such money so to be obtained anything of substantial value to them, and that such scheme the defendant intended to carry out and effect by correspondence through the United States mail.

That it was a part of said scheme to advertise in newspapers and in circulars and so get into correspondence with the people; that in such advertisements, circulars, and letters put out by the defendant were many alleged false statements, used to induce people to send him money, and which the defendant endeavored to induce his correspondents to believe to be true.

Under the statute in this case any three offenses occurring within any period of six months may be united in the same indictment, and if the party accused is convicted on such charges he shall

291 be punished by a single sentence. In this case it turns out that there were three offenses charged, and, as it ap-

pears, the period was more than six months, and so the attorney for the United States asks no conviction on the first count but only on the second and third counts of this first indictment. So that you need not consider the first count of the indictment so far as the offense itself is concerned that is therein charged; that is the writing of the letter to Miss Ball, a young lady from Virginia. That count in the indictment remains for the purpose of making the indictment logical, the facts therein stated applying to the other remaining counts. But if you should find the defendant guilty on the other two you cannot find him guilty on that count under the circumstances. The second count alleges a letter sent by the defendant by mail to H. P. Briggs, of East Radford, Virginia, on September 20th, 1899, in furtherance of such fraudulent scheme. And the third count charges the mailing by defendant of a letter to Richard

C. Stratton, of Philadelphia, Pennsylvania, on December 20th, 1899, in furtherance of said scheme. In the first place, you must determine whether or not the defendant did devise such a scheme as is charged, and in reaching a conclusion on that point you may determine whether the representations alleged, or any substantial part of them, were made by the defendant, and whether they, or any substantial portion of them, were true or false. And if you find they were made by the defendant and were false, and known to be such by the defendant when he made them, or if you find they were intentionally worded in such a manner as was calculated to deceive people of ordinary intelligence, and such wording was used by the

defendant for the purpose of so deceiving them, you are

292 at liberty to infer from such fact that his purpose was in sending out such representations to defraud, and if you reach the conclusion that his purpose was to defraud by use of the mail, after considering all the evidence and circumstances, and that these two letters were sent in furtherance or attempted furtherance of that purpose by the defendant or by his direction, your verdict should be guilty on the second and third counts. If you fail to find the said scheme to be fraudulent, or if you fail to find that he sent the two letters named or either of them, or caused them to be sent in furtherance of such a scheme and with intent to defraud, then your verdict would be not guilty.

In the indictment No. 22872 the defendant is charged with a similar scheme to obtain money by such false and fraudulent means in reference to an alleged institution called the Union Teachers' Agency of America. It details the facts, the alleged false pretenses and the use of the mails to further such scheme, and charges that the defendant sent a letter to Miss Jennie S. Betts, of Houlton, Maine, on September 22nd, 1898, through the United States mails.

If you find that this was a fraudulent scheme, after consideration of all the evidence and circumstances, and that such letter was so sent in furtherance or attempted furtherance of such scheme, your verdict would be guilty. If you find that the scheme was not fraudulent, or that the defendant did not send it in attempted furtherance of such scheme, your verdict would be not guilty.

293 The court has allowed a great amount of testimony to be introduced to show the defendant's correspondence with other parties than those named in the indictment, and some of his other schemes of similar character, and his conduct in other transactions, and the reason for this was to furnish competent facts from which you may be able to make up a correct judgment as to the character of the said scheme named in the indictment, and also as to whether his purpose in devising and carrying out such scheme was an honest purpose or a fraudulent purpose, because the law says it is always competent where it is necessary to show the intent of a party or where the issue is one of alleged fraud or intent to allow in evidence other acts of the party charged, of a similar kind occurring within a period not remote from that of the particular acts charged in the indictments.

In considering the evidence, you should, if possible, reconcile the

testimony of the different witnesses where they are apparently contradictory; but if it becomes impossible in any respect to reconcile the same, then you should consider the character of the witnesses so contradicting each other, their opportunity for observing and knowledge of the subject about which testimony is given, their interest or want of interest in the controversy, and all the circumstances of the case; and if one or the other of such witnesses must give way in your judgment, you should determine which one is most likely to be mistaken or is most likely to give false and unreliable evidence,

and disregard that one. You can believe what seems to you
294 true after consideration of all the circumstances, and disbelieve what seems to you to be false after like consideration.

Now, I have charged you in reference to the reasonable doubt, and I think I will give you the definition I have frequently given to you during this term, that the law gives to it. The jury must be convinced of the guilt of the defendant beyond a reasonable doubt before they can convict. That means what is usually understood by the word "reasonable." The doubt must not be whimsical or based on groundless conjecture. It must be one that arises out of the evidence or lack of evidence. The proof is deemed to be beyond a reasonable doubt when the evidence is sufficient to impress the judgment and understanding of ordinary, prudent men with a conviction on which they would act in their own most important concerns and affairs of life. This does not depend on the number of witnesses on either side, but the credibility of the witnesses, the character of their statements, and all the circumstances surrounding the case.

Again I will charge you with what the law says about sympathy and prejudice. Sympathetic appeals have been made by the attorney for the defendant here to your feelings. It is the purpose of the law that the jury should decide the facts of the case without feeling, and the court decide the law without feeling. We are here to protect the community; we are here to represent the law, and to determine the facts without feeling, and I will give you this charge on that point. The law says that the jury should not allow their

feelings to be factors in the matter of their verdict. Their
295 judgment should not be swerved or clouded by sympathy
for a defendant or prejudice against a defendant. The evidence alone must be looked to by the jury to ascertain the truth of the charges made; and if they are convinced as to what the real truth is, their verdict must follow that, no matter if it results in a verdict of guilty or not guilty.

Now, gentlemen, I think I have said enough. I am not going to comment on the details of the testimony at all, further than what I have indicated by what I have said. You have all the facts before you in your own memory. You have the extent of the operation of this defendant and whether his scheme was fraudulent or honest—that you can consider in reference to the other circumstances—the extent by which he did use the mails, and there seems to be no dispute as to the use of the mails; so I take it that the main question will be to determine the character of the scheme, and de-

termine, within the law as I have stated it to you, whether or not these were fraudulent schemes, or either of them, or whether or not they were intended to defraud and mislead the public. The offense charged in the one case is the sending of the two letters stated in the one indictment, and the one letter stated in the other. But in order to determine the scheme, as I stated before, you must consider all the testimony, and the scheme must be the foundation for your verdict. I will say no more, but give you the indictments and let you retire to your room.

Mr. FULTON: In respect to that portion of your charge referring to the representations, &c., made in the literature, we desire to reserve an exception, and the grounds of our exception are set forth in the prayers refused by the court.

296 And because the matters and things hereinbefore set forth are not matters of record, and because the defendant desires to present his exceptions to the Court of Appeals of the District of Columbia, he moves the court, in his own proper person and by his counsel, to sign and seal this his bill of exceptions, the same to have the same force and effect as if each and every one of said exceptions had been separately signed and sealed; which motion is by the court granted, and the defendant requests the justice presiding at the trial to sign and seal this his bill of exceptions and make the same a part of the record according to the requirements of the statute in such cases made and provided, and it is accordingly done, now for then, this the 14th day of October, 1901.

JOB BARNARD, *Justice.* [SEAL.]

297 Supreme Court of the District of Columbia.

UNITED STATES OF AMERICA, }
District of Columbia, } ss:

I, John R. Young, clerk of the supreme court of the District of Columbia, hereby certify the foregoing pages, numbered from 1 to 296, inclusive, to be a true and correct transcript of the records, as per directions of counsel herein filed, copy of which is made part of this transcript, in causes No. 22871 and 22872, criminal, United States vs. Liston D. Bass, as the same remain upon the files and of record in said court.

Seal Supreme Court of the District of Columbia. In testimony whereof I hereunto subscribe my name and affix the seal of said court, at the city of Washington, this 29 day of October, A. D. 1901.

JOHN R. YOUNG, *Clerk.*

Endorsed on cover: District of Columbia supreme court. No. 1135. Liston D. Bass, appellant, vs. The United States. Court of Appeals, District of Columbia. Filed Oct. 29, 1901. Robert Willlett, clerk.

